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TRANSACTIONS

OF THE

CUMBERLAND & WESTMORLAND ANTIQUARIAN & ARCHÆOLOGICAL SOCIETY.

(FOUNDED 1866).

VOLUME XI.—NEW SERIES.

EDITOR:
W. G. COLLINGWOOD, M.A., F.S.A.

KENDAL:
PRINTED BY TITUS WILSON, HIGHGATE.
1911.

The Council of the Cumberland & Westmorland Antiquarian and Archæological Society, and the Editor of their *Transactions*, desire that it should be understood that they are not responsible for any statements or opinions expressed in these *Transactions* ; the Authors of the several papers being alone responsible for the same.

The Maps, Plans, and Drawings belonging to the Society are now deposited at Tullie House, where they are available for the use of Members. The key can be had on application to the Librarian.

The exchange *Transactions* received by the Society are deposited in the Reference Library at Tullie House, where they can be consulted.

The Editor desires to express his thanks to the President and Mrs. T. H. Hodgson for the compilation of the Index.

CORRIGENDA.

Page 109, line 22, for Charter Rolls, 18 Edw. I., No. 26, read Charter Rolls, 6 Edw. III., pt. i., No. 30.

Page 371, line 15, for xxiv. 34, read xxii. 34.

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CUMBERLAND AND WESTMORLAND ANTIQUARIAN AND ARCHÆOLOGICAL SOCIETY,

As revised at the Annual Meeting, June 20th, 1901.

I.—The Society shall be called the "Cumberland and Westmorland Antiquarian and Archæological Society."

II.—The Society is formed for the purpose of investigating, describing, and preserving the antiquities of Cumberland, Westmorland, and Lancashire North of the Sands.

III.—The Society consists of the original members, and all those who may have been or shall be elected either at a General or Council Meeting upon the nomination of two members.

IV.—The Annual Subscription is 10/6, due and payable on the 1st of July in each year; and no member shall be entitled to the privileges of the Society whilst his or her Subscription is in arrear. A composition of Ten Guineas constitutes Life Membership. *N.B.*—Ladies elected prior to August 30th, 1881, pay only 5/- per annum.

V.—The Lord Bishop of the Diocese, the Lord Lieutenant of the County of Cumberland, and the Lord Lieutenant of the County of Westmorland, if members of the Society, shall be Patrons thereof.

VI.—The other officers of the Society shall be a President, Vice-Presidents, an Editor, two Auditors, a Secretary or Secretaries and a Treasurer, all being honorary officers, who shall all be elected at a General Meeting of the members of the Society to be held each year.

VII.—The management of the Society shall be in a Council consisting of the officers above named, excepting the Auditors, and twelve other members, who shall be annually elected at the same time as the other officers. The Council may, if it think fit, elect one of its members as "Chairman of the Council."

VIII.—On the recommendation of the Council, the Annual Meeting may elect, as honorary members, gentlemen non-resident eminent for antiquarian knowledge, or gentlemen resident who shall have rendered valuable services to the Society, such gentlemen to have all the privileges of membership without the payment of Subscriptions.

IX.—The Society shall hold two or more Meetings in each year at some place of interest, at which papers shall be read, to be printed, if approved by the Editor and Publication Committee, in the Society's *Transactions*.

X.—The Council have power to appoint local secretaries, and to authorize the formation of Committees for local purposes in connection with the central body.

XI.—The Council shall meet about the month of April to settle the place or places at which the General and other Meetings shall be held in the season next ensuing.

XII.—The Council may appoint two members of their body, who shall, with the Editor, form the Publication Committee.

XIII.—Members may introduce a friend to the ordinary meetings of the Society.

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MEETINGS HELD BY THE SOCIETY,

1910,

FOR READING PAPERS AND MAKING EXCURSIONS.

1.—Carlisle ... ... April 14

2.—Cockermouth District ... ... July 7 and 8

3.—Carlisle District ... ... September 8 and 9

ART. I.—*Inglewood Forest.* Part VII. By F. H. M. PARKER, M.A.

Read at Carlisle, April 14th, 1910.

THE HUTTONS, HEREDITARY FORESTERS OF PLUMPTON HAY; an account of the Family and Office from the reign of William Rufus to the reign of James the First.

PLUMPTON HAY, the great park within Inglewood, on the banks of the Petterill, was a celebrated place in olden times, and is memorable now both for its antiquity and for the long continuance of the office of Forester of the Hay. For when William the Second reduced Carlisle and subdued this district (it was not a part of the English kingdom in his father's time), he established Plumpton Hay, and placed a man in charge of it. From that man descended the Huttons, and they held the office in the time of James the First.

The original park was enlarged at the end of the reign of Henry the Third by adding the land between the Petterill and the highway between Penrith and Carlisle, and possibly at some other period. Mention is made repeatedly of "the ancient enclosure," which is referred to as if it were only a part of a larger whole. Certain grazing rights of the Huttons were bounded by its limits, and in the reign of Edward the Third a substantial sum was expended in repairing the old fence.

Plumpton Hay* was managed under conditions slightly different from those in the other parts of the forest. The

* Plumpton Hay means simply "the enclosure at Plumpton." *Hay* as a place-name comes from the mediæval Latin *haia*, which meant either a ring-fence or the land within it. It has a common origin with *hedge*, *haw*-thorn, and the *ha-ha* fence, but not with the word in common use.

hereditary warden had considerable rights of timber in the forest outside, but none in the Hay; he was empowered to impose certain fines for swine or other animals escaping into the Hay at any time in the year, but for swine in the surrounding forest only during fawning time.

Plumpton Hay has also had the reputation of being a resort of Robin Hood. Sherwood Forest has gained much glory from his name, though learned authorities say that his exploits are only tales of a wood elf. But even his literary connection with Plumpton is hazy; it is based on a comment by an intelligent annotator on the feats of Robin and his merry men:—

> They haunted about Barnsdale, Compton (r. Plompton) parke, and other such places (Sloane MS.)*

So our evidence turns on the direction to "read Plompton" out of the name of one of the "other such places."

The earliest ancestor of the Huttons whose name has come down to us was Eadmund, to whom Henry the First granted Hutton, to be held by the service of keeping Plumpton Hay.†

The next is Adam, his son. It is recorded of him that he paid 20s. for his relief on succession, about 1168;‡ Adam, son of Aedmund, was fined one mark for an illegal perambulation without warrant in 31 Henry III., and occurs again in the Pipe Roll, 7 Richard I.

In the 10th year of John, Roger de Belchamp paid ten marks to have the custody of the lands and forestry of William, the son of Adam de Hotton.

It may be well to remark that though these three names are given in succession, the dates make it impossible that they represent three generations only. Probably the last-named Adam was the son of Adam, son of Eadmund.

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* Joseph Ritson, *Robin Hood*, &c. (1885), p. xxiv., note.

† Testa de Nevill.

‡ Pipe Roll, 14 Henry II.

The story of the grant by William Rufus, of which we shall hear presently, involves the existence of an ancestor even before Edmund.

The notice of William in the Pipe Rolls states that the custody was to be for ten years, beginning at Michaelmas in the eighth year, that is 1208; it seems therefore that William was at least ten years short of his majority. He soon disappears from the scene, and early in the next reign Thomas, the son of Adam, was in possession. He began by conveying Hutton to Alan de Capella, and because he had no licence to do so it was seized into the king's hand. But presently Alan made his peace with the Crown, and had a confirmation of his title.

Next Thomas de Hoton died, and by an inquisition in the 32nd year of Henry III. it was found that he held half a carucate of land and two acres; that he gave two oxgangs of land with Cecily, his daughter, in marriage to Nichol le Venur; that Alexander de Capella kept Plumpton Hay for the land he had, and Thomas likewise for the land he had; and that Cecily, wife of Nichol, daughter of the said Thomas, was his next heir, and aged twenty years.

As for the share of the property still held by Nichol le Venur and Cecily his wife, we learn that Cecily was dead in 50 Henry III., that her heir was her daughter Bertha, who was then married and twenty-three years of age. Though it is added that Bertha had more than one son living *(pueros habet)*, her husband is not mentioned by name; but it is recorded elsewhere that he was Thomas de Dokwra. Thomas and Bertha will occur again presently. An inquisition on the latter in 5 Edward II. says that her son Thomas de Dokwra was her heir, and aged forty and upwards. In 1316 a man of this name was one of the jurors at the perambulation of the forest. Later still he appears in the Patent Rolls, having conveyed lands in Hutton to Hugh Page, John de Laton, Alan de Neuton, Richard Whiteheued, Robert de Staynton and

Joan his wife, and Ralph le Parker, between 1318 and 1325.

We now return to Alan de Capella. It is natural to ask who he was. It is not possible to answer with absolute certainty, but it is probable that he was a member of the original Hutton family. Names were easily acquired in those days; the Huttons themselves had not definitely adopted one. While the immediate heirs of old Edmund remained as the chief family at Hutton, younger branches would adopt other names. Some of them were oscillating between the styles of "de Hoton" and "de Capella" a century later than Alan's time.

The positive evidence for connection between the families is found in a passage in the Pipe Roll for 18 Henry III., where some belongings of William, "chaplain of Hutton," were sent to London. The description "chaplain," *capellanus*, suggests de Capella, and this William may very well be the same as William, the son of Adam de Hoton, of whom we have already heard. Apparently the latter got into trouble before he disappeared,* and some such reason is needed to account for the "chaplain's" effects being sent to London, to be accounted for there—in company, by the way, with a prisoner bound for Newgate.

About the same time as the purchase from Thomas de Hoton, Alan de Capella acquired land in Hutton which had been the property of Walter Engaine, who had been arrested, broken prison, and been beheaded.† The fate of Walter Engaine was in accordance with the usage of the time. The reason seems to have been the natural one that a man, knowing that if he was caught escaping, would be decapitated forthwith, without sentiment or argument, would not make the attempt unless he knew

* In the last Pipe Roll for John's reign: Roger de Belchamp owes one-third of 25 marks "pro justic' Willielmi filii Ade de Hoton." This was, of course, some time before; but the payment was only discharged in the Pipe Roll for 12 Henry III.

† Pipe Roll, 11 Henry III.

that he had not an outsider's chance of evading the hangman by an acquittal. No doubt it was Engaine's best tactics to trust to luck, as he was charged with causing the death of a man, Roger Gernun.

After Alan came Alexander, no doubt his son. It is noted in the Pipe Roll for 34 Henry III. that he had bought out another part of the Hutton estate, having paid 7s. to acquire half a carucate and two oxgangs of land from what is called "the serjeanty of Edmund de Houton." Four years later, according to the same records, he obtained some land at Aldeby. He was dead in the year 1260.*

Next came Thomas, who, under the name of Thomas, son of Alexander de Hoton, occurs as party to a fine with Thomas de Docwra and Bertha his wife, under which he becomes owner of land in Hutton. At the Pleas of the Forest in 1285, he appears as forester in fee of Plumpton Hay, ranking next after the chief forester of Inglewood, Alan de Kyrkby, and before the other hereditary forester, William Boyvill of Allerdale. He was called upon to show his title to this office, and put in the charter given by Thomas de Hoton to Alan de Capella. This shows that he was claiming as representative of the latter. Now we hear of the alleged grant by William Rufus, and it is noteworthy that the substance of what he claimed under the ancient charter was afterwards admittedly his right, as profits of his post. He seems to have had little difficulty in making out his right to the post. Then follows a question of much greater importance. He was asked whether he claimed any other privileges by reason of his duty beyond what was given in his charter. In reply

He says that he claims to have within his bailiwick grass and hay for two horses in each year; dead wood in his bailiwick, and all wood called *cablicia* (windfalls) throughout the whole of his bailiwick, and stumps for covering his houses, and bracken; and he claims to gather nuts within his bailiwick, and to have the eyries of hawks therein.

* *Excerpta e Rot. Fin.*, ed. Roberts.

He was then asked by what warrant he claimed this, to which he replied

That he had a good charter conferred on his predecessors by William, sometime King of England, son of King William the Bastard, which charter was burnt in the city of Carlisle, where it was on deposit. And he asks that this may be verified (m. 41).

We are not told anything further as to the circumstances of this most unfortunate accident. The loss of the earliest Hutton charter is greatly to be regretted; the claim made under it at least gives a date more remote than that of any other Inglewood record.

There are two short entries relating to Thomas de Hoton in the same roll, which serve to illustrate the methods of the time. The first shows the precision with which the forest was managed :—

Thomas de Hoton made a purpresture of 14½ acres and one rood at Bounrigg in the soil of Hoton, outside of the king's demesne, delivered to him by Geoffrey de Nevill and rented by him, each acre at 4d. And, because it seemed to the justices that the said Thomas holds the land at an insufficient rent, orders are given to the foresters, verderers, and regarders to inform them what each acre could be worth per annum for the king's use. And they say on their oath that each acre is worth 6d. per annum (m. 34d).

And it was decided that he should hold the plot of land for ever, paying a total rent of 7s. 6d., representing 6d. a year on fifteen acres, the last amendment being, no doubt, a concession to the comparatively limited knowledge of fractions possessed in those days. Thomas' descendants had a tenement at "Bourygg" in Tudor times.

The second is probably a fair sample of the incidents which broke the monotony of the regular work :—

Thomas de Hoton, forester of Plumpton Hay, took timber from the king's demesne wood, and sold it to Robert de Joneby for one mark. For this Thomas will answer. And for the trespass, and for others, he is in mercy. And because he did this within his bailiwick while he was forester of the fee, he is delivered to prison, and his bailiwick taken into the king's hand (m. 28d).

This matter seems to have been soon put right, but Thomas was destined to worse troubles than this. In his time the men of Galloway, in flight before Robert Bruce, entered Inglewood with their cattle, and established themselves there for the space of eighteen months, to the great loss of the unlucky Thomas, who had just obtained a lease of the grazing. He claimed that the incident cost him £20. The matter was investigated as follows :—*

An inquisition held at Penrith on Monday the morrow of Palm Sunday, the twelfth year of King Edward the son of King Edward, before Robert de Barton and Adam de Skelton, assigned to the taking of the said inquisition, &c., by Robert de Tymperon, John de Hotonrof, Richard de Quitefeld, William de Quitelaw, William de Dofinby, Thomas Holey, William de Edinhale, John Hunter, John son of Hugh, John Storer, John de Quitebergh, John de Penrith, William de Sutton, William de Vaux, Hugh le Harpur and Adam Carleton, jurors, who say on their oath that

Through fear of the Scots the men of Galloway came with their beasts from their own district to the forest of Inglewood on the twenty-fourth day of June in the twenty-ninth year of King Edward, father of the present king; and that they remained there with their beasts in the land of Plumpton, and elsewhere within the forest, on the pretext of a writ which the king, the father, directed to the foresters in fee of his forest, that they should permit these men with their beasts to remain peaceably in the forest without any payment; and that Thomas de Hoton, to whom the king had committed the herbage of the said land to hold for ten years, from the third day of December in the twenty-ninth year of his reign, for a payment of 40 marks a year to the king at his exchequer, lost his profit out of the herbage of the land to the value of £20, through the sojourn of these men and their beasts as aforesaid for that year and a half in that land.

Thomas' rights are more fully given in the letters patent conferring the grant. It is dated December 3rd, 1300, and appoints Thomas de Hoton to the custody for ten years, unless the king should otherwise direct, of the land of Plumpton. He is to make his profit out of the herbage, render 40 marks a year, and maintain and repair the hedges.

* Inq. ad quod Damnum, 12 Edward II., 115.

Thomas de Hoton's eldest son predeceased him, and he was succeeded by his grandson. It will be seen from the inquisition held on his death that he had his house burnt by the Scots, in addition to the loss of his pasture, the principal facts being as follows :—*

That Thomas de Hoton held in his demesne as of fee on the day he died, the manor of Hoton in the Forest, of the king in chief by homage and fealty, and by service of serjeanty, namely of guarding the land of Plumpton and the king's deer in that land. And they say that in the manor aforesaid there is a chief mansion, which is worth by the year twelve pence and no more, because it was burnt by the Scots. (Further valuations follow.) Moreover they say that Thomas, son of John de Hoton, is next heir of the said Thomas de Hoton, and that he was nineteen years of age on the day of St. Lawrence last past.

This does not tell us the relationship of the heir to the dead man, but on March, 1324, it is ordered that Thomas de Hoton shall be put into possession of the custody of Plumpton Hay, which Thomas de Hoton, his grandfather, held in chief.

So Thomas de Hoton the younger came into the estate. It took him just under three years to get into serious trouble, which resulted in the confiscation of his forestership. It was granted to an old and tried servant of the Crown, as is recorded in the Patent Roll, March 3rd, 1327 :—

Grant to Henry de Acum, "chafewax,"† for service to the late king, of the bailiwick of the land of Plumpton, which Thomas, son of John de Hoton held in fee, but which escheated by forfeiture for a trespass of vert and venison by the said Thomas; to hold as long as it remains in the king's hands.

Two years later a mandate is addressed to the keeper of

---

* Inquisition post mortem, 12 Edward II., No. 13. Jury as the last, omitting de Tymparon, de Penrith, Quiteleld, Storer, Harpur and Carleton, and adding Alexander de Capella, Roger de Beauchamp, John de Penruddok, Thomas de Dokwra, and John Bone.

† "Chafewax" was an officer belonging to the Chancellor, who fitted the wax for the sealing of writs. "Chaufcire" below is the French equivalent.

the forests beyond Trent to admit Henry's nominee, he himself being too deeply engaged in Chancery to perform the duties.

But these duties did not absorb all his time, for in 1335 a pardon is made out to "Henry, Chaufcire de Acum," for all trespasses of vert and venison in the forests of Galtres and Inglewood, whether in this or the late king's reign.

In the meantime, though Henry de Acum had been following the evil ways of Thomas de Hoton, the latter was redeeming his character. In 1334 he was pardoned for his trespass; in 1342 he was reinstated as a reward for service in Scotland—"in consideration of good service of Thomas de Hoton in the war of Scotland, the king pardons a trespass committed by him in his bailiwick, and restores his bailiwick of keeping the land of Plumpton."

It is pleasing to know that when Thomas came back to his own the king did not forget his faithful servant, Henry de Acum, now deprived of his comfortable living. Before the year was out it was noted in the Patent Roll that

Whereas the king, by letters patent, granted to Henry de Acum, spigurnel of the Chancery, the bailiwick of Plumpton, and afterwards granted it to Thomas de Hoton, to the great impoverishment of the former's estate; in consideration of the immense labours and perils he endured in the service of Edward the Second and the present king, the king grants that he shall have the first void corredy or pension in any religious house that he will accept.

And the year was not ended when the king sent to the abbot and convent of Athelney a request to admit Henry de Acum, spigurnel, to that house, and provide him with such maintenance for life as John de Preston, deceased, had at the king's request. This is entered on the Close Roll, December 15th, 1342; on the 21st, there was a further request to the abbot of St. Augustine's, Canterbury, to provide Henry de Acum, spigurnel, the king's serjeant, with such maintenance as Matilda de Wylmyngton, deceased, had. So Henry de Acum, his old age comfortably provided for, passes out of the story.

To return to Thomas de Hoton. An inquisition had been already held in the eleventh year of this reign, on Thursday next after Corpus Christi, to ascertain whether any harm would be done if he were permitted to convey the manor of Hutton, less one carucate of land, to Robert Parnyng, parson of the church of Hutton, for the purpose of an entail upon his sons John, Robert, and Thomas respectively.* A favourable report was returned. It seems that all three sons died before their father, as at his death other names are mentioned. The inquisition gives a number of particulars :—

An inquisition taken at Carlisle before William de Nesefeld, escheator, &c., on Saturday next before the Feast of the Purification of the Blessed Mary, in the 37th year of King Edward the Third, by the oath of Clement de Crofton, John de Agilliounby, John de Stapleton, Richard Leuthen, Robert Hobsson of Avericholm, Gilbert Tayntorell, Michael del Sandes, John Butikom, John Hewettson of Corby, John de Dundraw, Robert de Dundraw and John de Laysingby, jurors. Who say on their oath that Thomas de Hoton died seised of the manor of Hoton in the Forest, likewise of the bailiwick of the lands of Plumpton in the forest of Inglewood, by virtue of a certain feoffment made to the said Thomas by Henry de Staynwegges (Stanwix), parson of Hutton, Adam del Chapele, chaplain, and Richard, son of John de Hoton, which Henry, Adam and Richard gave and granted to the said Thomas de Hoton the aforesaid (property), to have and to hold to the said Thomas for life, and after his death (to his sons William, Richard and James by seniority in tail male). . . . . And they say that the said manor of Hoton, &c., are held of the king in chief by homage and the service of guarding the king's lands in Plumpton and the deer there, and by the service of paying to the king's exchequer at Carlisle 13s. 4d. each year . . . . .

And they say that the said Thomas de Hoton died on Thursday next after Michaelmas last past; and that William de Hoton, son of the said Thomas, is his next heir under the aforesaid entail, and is 25 years of age and upwards. †

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* Inquisition post mortem, 11 Edward III., 2nd Nos., 28. Before John Moryn, escheator; John Lone, William de Dolfanby, John de Couppeland, Richard le Procuratur, Geoffrey Tayllur, William de Stokdale, John de Boleton, Thomas Rouse, William de Holley, John Tymparoun, Paulinus de Neweton and John de Penneroddek.

† Inquisition post mortem, 36 Edward III., No. 88.

William de Hoton seems to have enjoyed his estate for an exceptionally long period, as he lived till within a few months of the accession of Henry the Sixth. In 1383 he obtained licence, after an inquisition, to settle the manor, the bailiwick of launder, two messuages and three and a half acres of land on his sons John, Robert, and Thomas successively, conveying this property to William de Lancastre, John de Welton, clerk, and William de Hoton of Salkeld for this purpose. William's wife Isabella is mentioned. Incidentally it is recorded that he paid five marks for the privilege.*

During his time two most important inquisitions were held for the purpose of finding out what rights he enjoyed by reason of his office as forester of Plumpton Hay.

The first was held at Penrith before Peter Tilliol, sheriff of Cumberland, on Tuesday after Michaelmas, 19 Richard II. The jurors say that

William de Hoton, forester of the king in the land of Plumpton, ought, and has been accustomed, to receive within the land of Plumpton for his custody of the old Hay, and for the office of forestry of the land, the whole of the herbage within the covert of the Hay and certain metes of the covert called Les Overelles, within the said enclosure of that land; also the honey and fruit of trees known as *mast*, dead wood and wood thrown down by the wind, and sparrowhawks nesting within the covert.

Also they say that William and all his ancestors have been accustomed to have and receive these profits for the performance of the custody and office aforesaid, time out of mind.

Also that neither the said William nor his ancestors, nor any other holding the said office for the time being have had or received any other stipend or profits for executing the custody and office as aforesaid.†

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* Inquisition post mortem, 6 Richard II., No. 163. The jurors were Richard de Salkeld, John de Hotonrofe, Thomas de Laton, William Vaux, William Engayne, Roland Vaux, Thomas de Hoton, John de Carleton, John de Loweden, John Hunter, Richard Hunter, and John de Alaynby.

† Jurors:—Clement de Skelton, Kt., William Vaux, Patrick de Suthayk, Robert de Alaynby, Richard de Skelton, Thomas de Blencowe, Thomas de Laton, William de Kirkeby, William de Dykys, William de Beaulieu, John de Robertby, and John de Alaynby. Inquisition post mortem, 19 Richard II., No. 61.

There is a notice about this subject in the Patent Roll, 1398, the enquiry probably being commanded in order that William's exact rights and position should be known. Indeed, several of the expressions are somewhat ambiguous even now. From these evidences it appears that we have to take into consideration four areas, one within the other —first, the land of Plumpton, the Latin word *launda*, meaning lawn or grass land rather than the indefinite *land;* in it was Plumpton Hay, the word Hay, *haia, haja*, meaning a hedge as well as the park it contained; in it was the covert; within the covert, bounded by certain limits called Les Overelles, was the herbage to which the forester was entitled. Elsewhere these boundaries are referred to as *umbraculum*, from which two names it is clear that the place is one with overshadowing trees, not undergrowth only. Probably it was the same as the "old Hay" just mentioned. This is the more likely, because there must have been some sort of fence to prevent the cattle straying outside the limits.

There is also a little doubt as to the service by which the Huttons enjoyed their privileges. Originally the office of forester was conferred upon them; Hutton was given them as the wages for the duties, and certain privileges, the beech-mast and so forth, were allowed as a maintenance grant. Later, these are said to be held by the service of launder of the land of Plumpton. The simplest explanation is that the difference was so unimportant that a laxity of statement did not matter, but from a historical standpoint it is better to make a note of the discrepancy, as the office of forester of the Hay meant looking after it as a deer preserve, while that of launder meant getting the best value per annum out of the grazing land.

So far we have heard what the privileges were; next we are told what they were worth. A report is made as follows:—*

* Inquisition post mortem, 20 Richard II., No. 58.

Inquisition held at Carlisle on Wednesday before the Epiphany in the 20th year of King Richard the Second, before Robert de Louthre, acting as deputy in Inglewood for Ralph de Nevill, justice of the forest beyond Trent, by virtue of a writ, &c., on the oath of Amand Monceux, John de Thirlewall, John de Dalston, Henry de Hoton, Thomas de Blencowe, John de Perdyshowe (Pardshaw), Thomas de Laton, Robert de Alaynby, Patrick de Southayk, William Fethre, John Bost and John Watson, who say on their oath that the entire herbage within the covert of the old enclosure (haie) of the land of Plumpton, and certain metes, called Les Overelles, of the covert, within the old enclosure of the same land, is worth by the year ten marks. Further they say that the honey is worth by the year twelve pence, that the fruit of trees that is called mast is worth by the year twelve pence, that the dead wood and wood blown down by the wind is worth by the year 13s. 4d., and that the hawks nesting within the said covert are worth by the year six pence.

Curious though these items may seem to modern ears, there is probably no more picturesque scene in the whole history of the forest than the Huttons' little realm with its woodland tribute. Centuries passed, dynasties rose and fell, but as Hutton succeeded Hutton we are gravely told, generation after generation, that the late lord of the manor was entitled to his sticks, his honey, his beech-mast, and his hawks.

In 1381 we meet with William de Hoton holding an inquisition as deputy for the keeper of the forest, to ascertain whether Richard Trotter, who had been appointed launder of Plumpton, should be permitted to enclose ten acres of land between Todholgill and "le Blakebek," and between the closes of Morton and Woollooaks, within the common of the forest, and to construct a house called a "logge" (lodge) there. This was approved.

William de Hoton died on the 25th of January, 1422.* The customary inquisition was held on the 16th of April

* Inquisition post mortem, 9 Henry V., No. 18. The jurors were :—William Hoton of Hoton John, John Salkeld, Thomas Lancastre of Penrith, John Forster of Penrith, Christopher Camyrton, Alexander Forster of Penrith, John Robertby, John Hoton of Penrith, Robert Alanby, Thomas Carlton, Robert Clynt, and Roger Gnype.

next following. The principal facts recorded are that the net value of the manor of Hutton was £4 19s. 8d. per annum; that of the forestry 33s. 4d. William de Hoton moreover died seised of the advowson of a chantry in Hutton, which was filled on the presentation of William; it was worth 100s. a year. Also of a purpresture in the town of Penrith; it was held of Ralph, earl of Westmorland, at a yearly rent of 6d., and it was worth nothing because it was wasted. He died on the Feast of the Conversion of St. Paul last past, and Robert de Hoton, his son, was his next heir, and upwards of 30 years of age.

Robert de Hoton enjoyed the estates for sixteen years, dying September 12th, 1438.* He had, at his death, the manor of Hutton, a corn mill worth one shilling a year, the office of launder worth 10s., and a close called "le Bouttes," containing three acres, each of which was worth 2d. a year, the figures in each case representing the value after all expenses were paid.

It is noted that in the manor was a site worth 20d., which suggests that his house had been destroyed. He had a hundred acres of meadow which were worth nothing, and the patronage of a chantry, which was "worth nothing, but only in prayers." John Hoton was his son and heir, and thirty years of age. Later, dowry was assigned to Mariota, his widow.

John Hoton was succeeded by his son Robert about the beginning of the reign of Edward IV. Two inquisitions were held on his death, but by a curious mischance one of these is missing and the other mutilated, only a small corner of the document being in existence. Fortunately the next inquisition serves to link up the pedigree.

It tells us that this Robert was an imbecile, of whom it

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* Inquisition post mortem, 18 Henry VI., No. 57. The jurors were:—Hugh Forster, John Bost, Christopher Camberton, Thomas Brugham, jun., Thomas Carleton, Roger Garthe, William Hall, William Morland, Robert Wrangways, William Cotysforthe, Thomas Cotysforthe, and John Hoton of Penrith.

is only recorded that he died on the 18th of July, 1484. King Edward the Fourth gave the whole county of Cumberland, &c., to Richard, duke of Gloucester, his brother (afterwards King Richard III.), who, by virtue of the said gift and by reason of the imbecility of Robert Hotton, son of John Hotton of the Forest, took possession of the manor of Hutton, and gave it to John Musgrave, Esquire, who held it during the late duke's lifetime, and up to the present time, by what right the jurors know not. Lancelot Hotton, aged nineteen, and upwards, was his kinsman and heir—namely, son of Thomas, his brother.

Lancelot Hutton owed his baptismal name to Sir Lancelot Threlkeld, who was present at the christening; as was his wife Margaret, the widowed Baroness Clifford. She was the mother of two men upon whom the fortunes of literature have conferred an undying fame—one, "the good Lord Clifford;" the other, that Sir Lancelot Threlkeld, whose favourite boast that he possessed three noble houses must be familiar with everyone who knows anything of the history of Thelkeld, Yanwath, or Crosby Ravensworth.

A change is noticeable at this period in the service by which the manor of Hutton was held. It is recorded that it was worth £8, and was held of the king by service of one-twentieth of a knight's fee, and by forester service of keeping the royal enclosure of Plumpton, and by the service of holding his stirrup when the king mounts his horse in Carlisle Castle, and by a rent of 33s. 4d. The stirrup service was attached to some land purchased by Thomas de Hoton from John de Rachton in 1348, and probably was afterwards annexed to the whole estate. He also had the herbage of the meadows within the covert of the ancient enclosure of Plumpton and within certain bounds called the umber of the covert worth 20s., the donative and advowson of a chantry, woods called Barmescowgh and Elfhow, and a watermill there.

Lancelot Hutton died January 28th, 1513. An in-

quisition was held on the 24th of April next following. Lancelot held the manor of Hutton in fee tail; the services just mentioned are recited. He also had a close called Thomas Close, and a tenement called Bourygge. In addition to the herbage, the old perquisites are noticed —the honey, mast, the dead wood and wood blown down, and the sparrowhawks nesting within the covert. This he held by the service of launder of the land of Plumpton. He had also a watermill called Elphe Mylne, a windmill, and the advowson and donative of a chantry in the church of St. James of Hutton, and it was worth nothing except in special prayers. William Hutton was his son and next heir, aged twenty-one years and upwards.

This William married Margaret, daughter and coheir of Anthony Crackanthorpe, and niece and coheir of Ambrose Crackanthorpe of Howgill Castle.

William died in the reign of Philip and Mary, an inquisition being held in the fourth and fifth years of their reign—August 28th, 1557—before Thomas Dacre the elder, knight, Thomas Sandfurthe, Thomas Middilton, and Anthony Barwise, commissioners. It is recorded that he had conveyed the manor of Hutton and other property to the uses of his last will, which is quoted. The names of the following children are mentioned:—David, Cuthbert, William, Elesabeth, and Cecily, and that of Margaret his wife. David was heir at his death, and aged thirty and upwards.

Elizabeth Hutton married Anthony Fleming of Rydal.

David Hutton died less than two years after the inquisition on his father, a similar proceeding being held in his case on June 10th, 1559. This was held at Sebergham. He died seised, amongst other things, of the office of forester of Plumpton Park and of the herbage within that park, within certain metes called "le coverte of Plumpton Parke" within the old hedge or hays of Plumpton. In his will, dated May 3rd, 1559, are mentioned his son John, his daughter Margaret, his wife Ann, and his brother

William Hutton. His heir was his son Thomas, aged, at the time of the inquisition, rather over ten years.

Thomas Hutton married Barbara, daughter and coheir of Thomas Middleton of Skirwith. The Middletons were an old family in the County Palatine, and long associated with Barnard Castle. According to Surtees,* the pedigree begins with one Alan de Middleton, living in the reign of Richard II. His descendant, Thomas Middleton, married Joan, daughter and coheir of John Hedlam of Nunthorpe in Cleveland. John, their son, was father of Ambrose Middleton; this Ambrose married Cecily, daughter and coheir of Anthony Crackenthorpe of Skirwith, and so added Skirwith to his possessions. One of his sons was John Middleton, sheriff of Cumberland in 1585; the eldest was Thomas, the father of Barbara. According to the pedigree just referred to, the latter's mother was Elizabeth, daughter and coheir of James Martindale of Newton in Allerdale.

As far as we can judge, the Huttons were now at the zenith of their prosperity. They possessed a larger landed estate than ever before. Thomas Hutton's marriage made them relatives, through the Martindales, to the Musgraves and to the Blennerhassets of Carlisle. His children inherited ten quarterings to their coats of arms—Crackanthorpe and Lancaster, for the Crackanthorpe alliance; Middleton, Hedlam, Crackanthorpe, Lancaster, Martindale, Newton, Langridge (Langrigg), and Allanby, through Barbara Middleton.

But from this point a change came over their fortunes. Thomas Hutton appears as party to a long series of fines, in almost every case confirming to a new owner lands already conveyed. A summary of these gives some idea of the extent of his property.

In 1576 Thomas Hutton and Barbara conveyed to Richard Sandford one-fourth of the manor of Milburn and

* Surtees, Durham, vol. iv., p. 70.

lands there, some 800 acres; in 1577, 400 acres of wood in Milburn. The same year he purchased from Thomas Middleton and Grace his daughter the moiety of lands in Langrigg, Mealrigg, Ireby, Crookdake, and Bromfield. Grace was the only other surviving child of Barbara's mother, so Thomas Hutton was acquiring the other half of the Martindale estate. Next year, 1578, he purchased from one Christopher Robynson and Alice his wife a small property in Hutton. In the same year he sold to William Martyndale some land in Langrigg. In 1580 he conveyed to George Porter the manor of Bromfield, of Bromfield Scales, and land in Bromfield, Langrigg, Dundraw and Aspatria, about 4400 acres; in the next, some 1900 acres more, and the manors of Langrigg and Mealrigg. This seems to have been the Martindale property which he had got into his hands not long before. At the same time he sold to one John Atkynson a messuage in Langrigg. In 1584 he made over to Henry Crackanthorpe land, about 400 acres, and rights of common of pasture in Ousby. Next year he conveyed a small property with common of pasture in Hutton to Anthony Walkwood, "clericus." In 1588 he sold to Robert Robson and Elizabeth his wife one-fifth of a holding in Kirkby Lyme, and one-fifth of the manor of Milburn and land there; in all 570 acres. In 1591 he sold to Henry Crackanthorpe the manor of Ousby and lands there; nearly 4000 acres. Next year he sold to Richard Sandford one-fourth of the manor of Milburn, lands and common of pasture therein; the following year he conveyed 500 acres in Hutton to one James Wyseman, Edmund Hutton, Thomas Hutton the elder, and other parties; in the year after, a small property in Plumpton to Simon Musgrave. These transactions represent close upon 15,000 acres, exclusive of houses, mills, and other concomitants of landed estates.

Thomas Hutton lived just into the seventeenth century, dying on the last day of January, 1601. Among his

possessions is mentioned the manor of Skirwith, and also the forestry, the herbage and honey which had been noted down for so many generations. Lancelot his son was his heir, and at that time 19 years of age.

Lancelot Hutton had not long attained his majority when he and his mother conveyed Skirwith to John Robson; a fine levied in 1604 (Michaelmas term, 2 James I.), specifying the manor of Skirwith, and lands in Skirwith, Langanby, Culgaith, Kirkland, and Bank; in all, about 1800 acres.

There is one fact connected with Lancelot Hutton which has an interest apart from the family, for it affords evidence of the date at which John Denton wrote his well-known *Accompt*. This work is known to have been compiled after the consecration of Bishop Henry Robinson to the see of Carlisle. The story that Denton was imprisoned in the Tower owing to a difference with Dr. Robinson, and to have collected material from the records there, is one of the few surviving fragments of its author's personal history. But there is a passage which narrows the possible limits considerably. Writing of Skirwith, Denton says:—

> And now Hutton, son of Thomas of Hutton in the Forest, and of . . . . Middleton his wife, daughter and one of the coheirs of . . . . Middleton enjoyeth the same in his mother's right—that is, a part; and the rest by purchase of the co-parceners.

From what has already been mentioned, it is clear that this passage must have been written sometime within a period of three years—1601, when Lancelot succeeded, and 1604—when he sold the manor. Little remains to be told. One more fine was levied by which, in the Easter term of 1606, Lancelot Hutton conveyed the manor of Hutton to Richard Fletcher, afterwards Sir Richard Fletcher, head of the famous West Cumberland family.

So ended the hereditary forestry of the Huttons of Plumpton Hay.

Pedigree of Hutton.

EDMUND,
temp. William II. and Henry I.

EDMUND,
temp. Henry II.

ADAM, son of Edmund,
succeeded 1168.

- ADAM.
  - WILLIAM, a minor in 1208.
  - THOMAS.
    - NICHOLAS LE VENUR = CECILY, dau. and heir.
      - THOMAS DE DOKWRA = BERTHA, dau. and heir.
        - THOMAS DE DOKWRA.
- ALAN DE CAPELLA, purchased Hutton about 11 Henry III.
  - ALEXANDER DE CAPELLA, d. 1260.
    - THOMAS DE HOTON, d. 1319.
      - JOHN DE HOTON, ob. vita patris.
        - THOMAS DE HOTON, d. 1362.
          - JOHN.
          - ROBERT.
          - THOMAS.
          - WILLIAM HUTTON, d. 1422.
            - JOHN.
            - ROBERT DE HOTON, d. 1438.
              - JOHN DE HOTON, d. about 1460.
                - ROBERT HUTTON, an imbecile, d. 1484.
                - THOMAS HUTTON.
                - LANCELOT HUTTON, succeeded his uncle, d. 1513.
                - WILLIAM HUTTON = MARGARET, dau. and co-heir of Anthony Crakanthorpe. d. 1557.
                - DAVID HUTTON = ANNE. d. 1559.
                - CUTHBERT.
                - WILLIAM.
                - CECILY.
                - ELIZABETH.
                - THOMAS HUTTON = BARBARA, dau. and coheir of Thos. Middleton of Skirwith. d. 1601.
                - JOHN.
                - MARGARET.
                - LANCELOT HUTTON, sold Hutton in 1606.
          - RICHARD.
          - JAMES.

Notes on some Members of the Families of Hutton and de Capella.

It has been mentioned already that the Huttons of the reign of Edward the First emerged from the de Capellas of the reign before, and it has been suggested that in doing so they were reverting to their original name. But in what may be termed the transition period, several persons occur under either name who deserve notice, partly for their own sake, partly for the purpose of identification at the time when the names were used indifferently. Thus, one Henry de la Chapelle was a forester in Inglewood, a successor being appointed in 1344; it was then mentioned that Henry was put in office by Edward the First. No forester of that name is to be found at that period, but there was a Henry de Hoton in 1305. Early in the reign of Edward the Third we read of Henry de Capella; while the Close Roll for 1320 records that "Henry de Hoton, chaplain"—no doubt the same man, half way through his change of name—was in Carlisle Gaol for a trespass of venison.

In the Hutton pedigree some means of checking results is specially desirable, for namesakes exist, while the same man is described by different appellations. Thus it has been assumed that Thomas, son of Alexander de Hoton, is the son of Alexander de Capella; yet about this time we read of more than one Thomas de Capella, and a Thomas de Hoton de Capella.

In the Pleas of the Forest it is recorded that

(1) Thomas de Capella de Hoton (the words "de Capella" are interlined) holds one purpresture . . . . . of ten acres at Aldeby (m. 33d).

(2) Thomas de Capella de Bramwra made an assart of four acres and a half of land in Byrkemire near Bramwra (m. 34).

(3) Thomas de Hoton de Capella came before the justices and rented 40 acres in Hoton Langehueyt, on his own ground, to enclose it, &c. (m. 36).

This suggests considerable uncertainty about identities, but it is possible to place the three names. Thus we find an entry in the Pipe Roll, 38 Henry III., which may be compared with (1) :—

The sheriff accounts for 10s. 6d. from Alexander de Capella for ten acres and a half at Aldeby.

This shows that Thomas de Capella of Hutton must be the heir of Alexander de Capella, who had part of the serjeanty of Hutton.

Then in 1317 a notice in the Patent Roll tells us that Hutton Langthwaite, abutting on the land of John de Penrith, was in the possession of Thomas de Hoton, the representative of the family. Compare this with (3). From this it is clear that the first Thomas must have been the ancestor of the second.

So, piecing the evidence together, we may safely assume that this Thomas de Capella is the son of Alexander de Capella, and known as Thomas de Hoton in connection with Plumpton Hay, but otherwise with "de Capella" added for further distinction.

Of Thomas de Capella of Bramwra there are numerous notices. Particular interest attaches to him, as he is one the earliest vicars of Kirkby Stephen. He is, however, mentioned most frequently because he had acquired landed property, for he possessed several small parcels of land in Mid-Cumberland, at Newton Reigney, Raughton, Newbiggin, and Bramwra. Towards the end of his life he devoted the whole of this, so it appears, to pious uses, founding a chantry chapel at Bramwra. The Bramwra and Byrkmire properties are mentioned in the Pipe Roll for 4 Edward I. :—

Master Thomas de Capella owes 10s. through the sheriff for the rent of 20 acres of land which belonged to John de Mora and John de Capella, by the writ of King Henry, in which it is contained that King Henry granted to the said Master Thomas 20 acres of land at Bramwra in the forest of Inglewood, and which were rented by Brian de Insula, justice of the forest beyond Trent, at 10s., and

were afterwards rented at 9s. 8d. by Geoffrey de Langley, &c., which 20 acres have long lain waste, to the manifest loss of the king, because of that rent.

John de Capella is mentioned in the Pipe Rolls for 38 and 46 Henry III., and may be a contemporary of Alexander.

The same Master Thomas de Capella owes 18d. for the rent of 4½ acres of land in Byrkemire within the forest aforesaid, by the same writ . . . . . in which it is contained that the same Master Thomas may enclose the said 4½ acres with a small dyke and a low hedge according to the assize of the forest, and bring them into cultivation, and hold them for ever so enclosed and cultivated.

Then in the twenty-ninth year he is mentioned in the Pipe Roll as having acquired land at Newton Reyney :—

Thomas de la Chapele renders account of 10 marks as fine for the trespass which he did in entering without licence of the king two messuages of 40 acres of land and four acres of meadow with appurtenances in Neuton Reyney, which William, son of Adam de Neuton Reyney, who enfeoffed the said Thomas, held of the king in chief by grand serjeanty, and for the restoration of the said tenement . . . . . by which fine it was granted to the said Thomas that he and his heirs may hold the tenement of the king and his heirs in chief for ever, by the service of paying to the treasury 2s. by the year, at the Feast of St. Michael, by the hand of the sheriff of Cumberland, and by finding for the king one armed man for his army against Scotland, as Adam, son of Richard, father of the said William, son of Adam de Neuton Reyney, from whom Thomas acquired that tenement, held it himself.

Reference is also made to the entry in the Pipe Roll for 34 Henry III. where certain serjeanties were rented, and Adam, son of Richard, obtained four oxgangs of land from the serjeanty of John de Reyney. The senior line of the de Reyneys had died out some time before this, and this line had also fallen, for in this roll there is a notice :—

The sheriff accounts for 59s. for the tenements which were William's, the son of Adam of Neuton Reny, a lunatic, deceased.

The earliest date I know in connection with this Thomas de Capella is given in the proceedings on behalf of the King of Scotland in 56 Henry III., where it is mentioned that Thomas was put in possession of Byrkemire by William Dacre, who was then sheriff, and appears in that capacity in the Pipe Roll for 53 Henry III.

As to his incumbency of Kirkby Stephen, which to some readers would be the most interesting part of his history, very little is recorded; but it shows that he must have been there before the first date given by Burn and Nicholson, 1292—perhaps many years before. Unfortunately neither of the entries are in his favour; but it must be remembered that when we have to depend upon State records for biography, the evil that men do lives after them, and for all we know, good work, representing the best years of a lifetime, may have been interred with his bones. One of these entries is in Bishop Halton's register, and records that Thomas de Capella was cleared of non-residence, provided that he keep residence in future. In the other it is shown that he had pronounced the greater sentence on one Thomas, called Godehusband, of the parish of Brough-under-Stainemore; that this Thomas complained that this had been done irregularly and without sufficient cause. The vicar was directed to take no further action pending investigation. Later he was directed to grant him absolution.

Whether Thomas, called Godehusband, really deserved ecclesiastical censure or not, or whether Thomas de Capella was to blame, had make a mistake, or had acted with too great severity—Dr. Burn thinks he was a strict disciplinarian—it would be rash to say; but the worst interpretation has been put on the two writs in question by William Prynne, the famous Puritan. Prynne, who did not hesitate to speak out, introduces them into a book which bore the comprehensive title "An Exact Chronological Vindication and Historical Demonstration of our British, Roman, Saxon, Danish, Norman, English Kings

Supreme Ecclesiastical Jurisdiction in and over all spiritual or religious affairs, causes, persons, as well as temporall, within their realms of England, Scotland, Ireland, and other dominions," &c., and makes them a leading case to illustrate "how vexatious and injurious bishops' officials were in that age."* The heading of this particular portion of the work was "An exact history of the Pope's intolerable usurpations."

But the most definite fact that we can extract from these writs is that the second bears the date 15 Kal. Jan., 1291—in our reckoning December 18th, 1291.† He clearly had been at Kirkby Stephen for some time, and it is worth noticing that the title "Master" was prefixed to his name as far back as 4 Edward I.

Late in life Thomas de Capella founded a chantry chapel at Bramwra. The Patent Roll for 1300 has a notice dated July 16th granting him licence to alienate into mortmain three messuages and 72½ acres of land in Newbigging, Raughton, and Bramwra to a chaplain to celebrate divine service in a chapel at Bramwra about to be built.

In 1311 a similar licence was accorded him for the alienation into mortmain of four messuages and 40 acres of land in Newton Reyny to a chaplain to celebrate divine service daily in the chapel of Braumwra for the souls of the grantor and his parents. For this permission he paid 10 marks. This is dated May 1st. On August 13th he received further leave to transfer to John, bishop of Carlisle, the advowson of the chapel of Bramwra.

Probably these were the last acts of his life. He was now vicar of Arthuret, which he had exchanged with John de Leycestre in 1304, and in 1312 a new name appears in his place.

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* Whether Thomas de Capella was bishop's official depends on the construction of a passage quoted by Prynne, and the original cannot now be found. The extract, as it stands, suggests rather that Thomas is being addressed by the officials, and he is never expressly referred to by that style.

† For the legal year ran from March 25th, not from January 1st.

The little chantry afterwards fell into neglect, and William de Hoton founded it anew within the parish church at Hutton. Possibly he did this as head of the family to which the first founder had belonged.

Alexander, son of John de Capella, is mentioned in the Pleas of the Forest as living in 5 Edward I.

John de Capella received licence in 1291 to alienate into mortmain to the prior and Augustinian Friars of Newcastle-on-Tyne a messuage in Penrith, and in 1294 was witness to a charter by Ivo de Veteripont of "Garethorn" (Gathorn) to the poor men of the hospital of St. Leonard of York (Charter Roll).

Alexander de Capella was appointed in 1307 to select 40 foot soldiers from the liberty of Penrith, was a juror at the perambulation of the forest in 1316, and is mentioned in the Pipe Roll for 5 Edward III. Alexander "Capellanus" occurs in the attachments of the forest, 10 Edward II.

At the Pleas of the Forest there was a forester named Adam de Hoton. Previously, in 8 Edward I., Adam, son of Gilbert de Hoton, levied a fine for lands in Hutton with William, son of John de Hoton. From his connection with the place, it is not unlikely that he was a son of Alan de Capella. One of the terms was the conveyance to him of land at "Wyteber," and at the perambulation of the forest at the end of this reign, one Adam of Whitebergh was a juror. These notices probably refer to the same person.

To one who has endeavoured to piece together into a connected story the scanty records of the early Huttons, this Adam suggests two fascinating subjects for speculation —first, whether he was the Adam who founded the well-known Huttons of Penrith, and if so, whether Alexander de Capella, who was juror at the next perambulation of the forest, was the same as Alexander, that Adam's son and successor; the other, whether he, as owner of land at Whitebergh, was ancestor of that Wybergh who married

the heiress of the Engaynes of Clifton in Westmorland. As we have seen, an Engayne once had land in Hutton, afterwards Alan de Capella's; while Gilbert de Engayne and Adam, son of Richard de Hoton, were sureties for a fine of 15 marks imposed on Patrick, parson of Skelton, for a trespass of venison (Pipe Roll, 51 Henry III.).

There was another family of Hutton, members of which are often mentioned during the thirteenth century. Adam de Hoton was justice in a plea of darrein presentment at Plumbland in 1229. In 25 Henry III. one of this name was party to a fine, vouching to warranty Gervase, son of Alban de Tympaurun; in the next year he was party to a fine relating to land at Bergher (Berrier).

Simon de Hoton was a verderer in 52 Henry III. Just before him in the panel occurs Gervase de Tynpaueron. Simon does not appear again as verderer, but another Adam de Hoton, who was then with him, held office till 1300. At the Pleas of the Forest it is mentioned that Simon had land at Selywra, and Adam at Thrangholm and Ellonby.

Adam de Hoton of Alaynby was juror at the inquisition on Robert and Beatrice Turp of Edenhall, 2 Edward II. Adam de Hoton, Sybil his wife, and Nicholas their son acquired land in Selywra from John de Penrith in 1339, or earlier. Meanwhile, in 16 Edward II., Thomas de Hoton de Alaynby was party to a settlement of the manor of Warwick on the Warwick family.

It seems probable from this that he had interests in the direction of Carlisle, and in the middle of the reign of Edward III. one Thomas de Alaynby was a prominent citizen there. His widow, Mariota, afterwards married William Stapleton of Edenhall.

The Family of de la Kersonere, Cressoner, or Gressemor of Hutton.

A notice in the Pipe Roll for 34 Henry III. tells us that the old serjeanty of Hutton was parcelled out, and

had passed into the hands of four proprietors, and an entry of rent due for two years and a half before shows that this was consequent on the death of Thomas de Hoton, which is noticed in the 32nd year. One of the new owners, as we have seen, was Alexander de Capella; the others were Nicholas the son of Thomas, Patrick Clotun, and John de la Kersonere. Nicholas is the same as Nichol le Venur, who married Cecily, Thomas de Hoton's daughter; Patrick Clotun possessed but a modest acre, and was probably Patrick Hoton *mutato nomine;* but the last deserves some notice.

John de la Kersonere belonged to a family which occurs several times in the history of Inglewood, and under titles remarkable for their dissimilarity, even when judged by the standard of that age. The following are some of the most noteworthy allusions to them :—

William de Kersunera was fined for having beasts at large in the forest (Pipe Roll, 14 Henry II.).

William de la Kersonera is charged half a mark (Pipe Roll, 7 Richard I.).

William de la Kersuniere is charged five marks for a writ of mort d'auncestor against William de Vaux for a knight's fee in Catterlen (Pipe Roll, 3 John).

Hugh de la Cressoner is a witness to the charter given by Thomas de Hoton to Alexander de Capella, 11 Henry III.

John de la Kersonere, as we have seen, acquired a part, half a carucate of land, of the serjeanty of Edmund de Hoton, 34 Henry III.

William Cressener, on whom there was an inquisition post mortem in 50 Henry III., held half a carucate of land in Hutton, which shows that he was related to John. He left a widow named Emma, but no child, and his sisters Alice, Christiana, and Agnes were his heirs.

Jordan de la Gressemor is mentioned in the Pipe Roll for 38 Henry III., having acquired land at a place called Suietheil, as also did Patrick de Hoton. In 14 Edward I.

there is a notice of a rent of 2d. paid by Jordan de la Crussoner for a house at Syvedehell. Meanwhile, in the Pleas of the Forest, Jordan de la Cressonere is mentioned at Sythehel. He is also noticed in the capacity of agister.

At the pleas there also occur Roger de Gressemor and Thomas del Heued, son of Thomas de Gressemor, and William, son of Richard, son of Juliana de Gressemor.

The Pipe Roll for 29 Edward I. contains this notice:—

The sheriff (owes) 18s. 2½d. for two-thirds of the lands which were Thomas le Cressonere's, outlawed felon; which lands were valued at 27s. 4d. per annnm; out of which Emma, who was the wife of Henry le Cressonere, is dowered by writ; after whose death the sheriff is to be charged with the value of that third as well.

One Hugh Cressoner lost his lands in the same way. They were in Hutton, and were given by the king to John de Rachton, who about eight years later, in 1348, conveyed them to the Huttons.

In the Pipe Roll for 14 Edward I. there is a notice of rent due from the heirs of Alexander de Capella, Nicholas Venator, Ralph the clerk, and Christiana, who was the wife of the same Alexander.

This suggests that Christiana was one of the sisters of William Cressoner, and heir to part of the land acquired by John. If so, she was married more than once, for there is a notice in the Fine Roll, dated November 3rd, 1266:—

The king took the homage of William de Ussthuayt and Alice his wife, William de Penreth and Christiana his wife, and Simon le Feure and Agnes his wife, kinsfolk and heirs of William le Cressener, deceased.

But Alexander had then been dead some six years, and a marriage with him would help to account for John de la Kersonere becoming a part owner of the serjeanty. Indeed, it is probable that the estate was dismembered only to become a small colony of kinsfolk.

Hutton of Averas Holme and the Serjeanty of Surveyor of Pannage.

About the year 1362 the deaths occurred of four men of the name of Hutton, and the inquisitions upon them are arranged next each other in the file. They were Thomas Hutton of Plumpton, another Thomas Hutton of Northumberland, William Hutton of Hutton John, and William Hutton of Averas Holme.

The last of these was probably a relative of the Plumpton line, but he is introduced here not for that reason only, but because of the curious service attached to this property, which he held by serjeanty.

Averas Holme is on the left bank of the Eden near Carlisle. The little estate was too small to have a connected history; its records rather resemble those of some ancient Eastern jewels, for it makes its appearance at irregular intervals, usually in the hands of a new owner, and with a different story told about it, affording us nothing but conjecture to connect it with the last known possessor.

The property is noticed in the Testa de Nevill in these terms:—

> Robert, the son of Alexander, holds Averencheholm, by the serjeanty of finding a book for the king's pannage, and keeping the swine till they are valued.

The last word is, in the Latin, *appretientur*, evidently used by a confusion of thought, the meaning being not the valuation of the pigs, but the calculation of what has to be paid for them. In plain English, the duty was to provide a book in which to record the payments for pannage, and to see that the swine were not removed before they were entered.

This Robert married Eda, the daughter of John. He paid four marks for licence to do so, and to have 30 acres of land in Carlisle, which were her inheritance, being in

the king's gift.* Mr. Hodgson-Hinde, in his famous introduction to the Pipe Rolls, assumes that this was the serjeanty. The serjeanty certainly was a parcel of 30 acres.

From this point we pass over a century and a half to the death of William Hutton. Here we have more careful details :—†

Inquisition held at Carlisle before William de Nessefield, escheator, on Saturday next after the Feast of St. Matthew the Apostle, in the 36th year of King Edward the Third.

William de Hoton of Haverisholm died seised for the term of his life of a tenement called Haverisholm in the said county (of Cumberland), by the law of England in right, and of the inheritance, of Ellen, daughter and heir of William, the son of Arnold, deceased, who held that tenement of the king in chief by service of serjeanty, namely, that he and his heirs should go once in the year, at the Feast of St. Martin in winter, to Gaytskales in the forest of Ingelwod, with a book, for hearing the oath‡ of the agisters of swine in that forest, at pannage time, for all services. And there is there one messuage and 30 acres of land adjacent, worth by the year 20s. over and above the said service.

Further, they say that William died on Monday next after the feast of Corpus Christi last past, and that Joan, daughter of the said William and Ellen, whom Robert, son of Robert of Corkeby, has married, is daughter and next heir of the same, by reason of the said Ellen, her mother, daughter and heir of William, son of Arnold, and she is 24 years of age.

If the duty, as here given, means that he was to attend with his book at the time when the agisters were sworn, it agrees with what has gone before. The agisters took an oath of faithful service, because the payments went through their hands.

Robert, son of Robert of Corby, was one of the jurors on Thomas de Hoton of Plumpton about this time, but there he is styled Robert Hobsson of Avericholm. There

* Pipe Roll, 5 John, in the Nova Oblata.

† Inquisition post mortem, 36 Edward III., 1st part, No. 90.

‡ Apparently the passage runs "ad aud (iendum) juramentum," &c., but it is only decipherable with great trouble.

can be no doubt about the identity, and very little about the relationship.

Then the curtain comes down again till 1384, when we read in the Pipe Roll for 8 Richard II. (1384-5) :—

John de Appelby, son of Adam de Appelby, brother of John de Appelby, clerk, deceased (owes) 22s. 2d. by fine for his relief for the manor of Haverysholme with its appurtenances in the county of Cumberland, which he holds of the king in chief by grand serjeanty, namely, by the service of finding one book for pannage for the king, in the forest of Ingelwode, and by the service of keeping the swine in the said forest till they are valued, and for one messuage and its appurtenances in Carlisle, which he holds likewise of the king, in chief, by the service of rendering to the king 2d. by the year.

John de Appelby, the uncle, was the son of Thomas, and grandson of Walter de Appelby. He had previously succeeded to some property from a brother, but this did not include Averas Holme. How he became owner of this, or when, is not shown; if by inheritance, he can hardly have been a nearer relative than second cousin to Joan Hutton.

The facts relating to his brother are given in two inquisitions:—

Inquisition at Kyrkeby in Kendale, before Robert de Tilioll, the king's escheator in Westmorland, held on the fourth day of April, the 31st year of King Edward III.

Thomas, the son of Thomas, the son of Walter de Appelby, held in his demesne as of fee on the day he died a messuage and 10 acres of land in Stirklandketell near Kirkby in Kendale of the fees which were William de Coucy's, then in the king's hands, by fealty and service of 3d. per annum, and it is worth in all outgoings 5s. a year.

Also that the said Thomas died the 20th day of September, the 24th year of the present king, and that Master John de Appelby, brother of Thomas, son of Thomas, son of Walter, is next heir, and aged 30 years and more.*

Apparently this return was inaccurate, as another inquisition was held on the morrow of St. Thomas, the

* Inquisition post mortem, 31 Edward III., 1st Nos., 4.

36th year of the same reign, at Appleby, before William de Nessefield. The facts, according to this jury, were as follows :—

That Thomas, son of Thomas, son of Walter, deceased, held no lands or tenements of the king in chief, either in demesne or in service, on the day he died; but he held of the heir of Robert de Clifford, then under age and in the king's custody, eight acres of land with appurtenances in Appelby, by service of 3d. per annum for cornage and by homage, and that the said land is worth 3s. a year over and above expenses.

And that the same Thomas died at the Feast of St. Michael the Archangel in the 23rd year of the present reign, and that Master John de Appelby, parson of the church of Whitberne, is his next heir and forty years of age.*

John de Appelby was rector of Whitburn from 1352 to 1362, when he resigned (Surtees, *Durham*, ii., 52). He was afterwards archdeacon of Carlisle; Archdeacon Appelby was rector of Great Salkeld in Cumberland from 1364 to 1379. John de Appelby was instituted to the rectory of Rothbury in 1377, his successor following in 1385 (MacKenzie, *Northumberland*, ii., 60). The last date tallies with the death of John of Averas Holme.

He possessed other property in addition to this, and was, as we have seen, succeeded by his nephew. In 1528 (Easter term, 20 Henry VIII.) Alexander Appilby conveyed a small estate at Averas Holme and Scotby, with free fishery, to Edward Blennerhasset and others by a fine.

On the Descent of the Manor of Skirwith to the Huttons.

The steps by which the manor of Skirwith passed to the Huttons have not been very adequately described by local writers, probably because it was finally purchased by the descendants of one sister from the descendants of another; so that, although it had come down to the

* Inquisition post mortem, 36 Edward III., 1st part, No. 76.

seventh generation from the common ancestor, it had never been really out of the family, and the period in question forms a species of genealogical loop line.

Skirwith was long in the possession of the Lancaster family, descended from Roger de Lancaster, sometime seneschal of the forest of Inglewood. The last of the line was Sir John Lancaster of Howgill Castle in Westmorland, "the fair building which stands high on the skirts of the mountains in the eye of the country," who was lord of Howgill, Rydal, Deepdale, Glencoin and Loughrigg manors in Westmorland, and of Skirwith in Cumberland.

These estates were divided among four coheiresses, his daughters. We are only concerned with two of these, one who married Fleming of Coniston, and afterwards of Rydal, his wife's portion; and Elizabeth, who married Robert Crakanthorp, stated to have been a younger brother of John Crakanthorp of Newbiggin, who married a Blencowe.

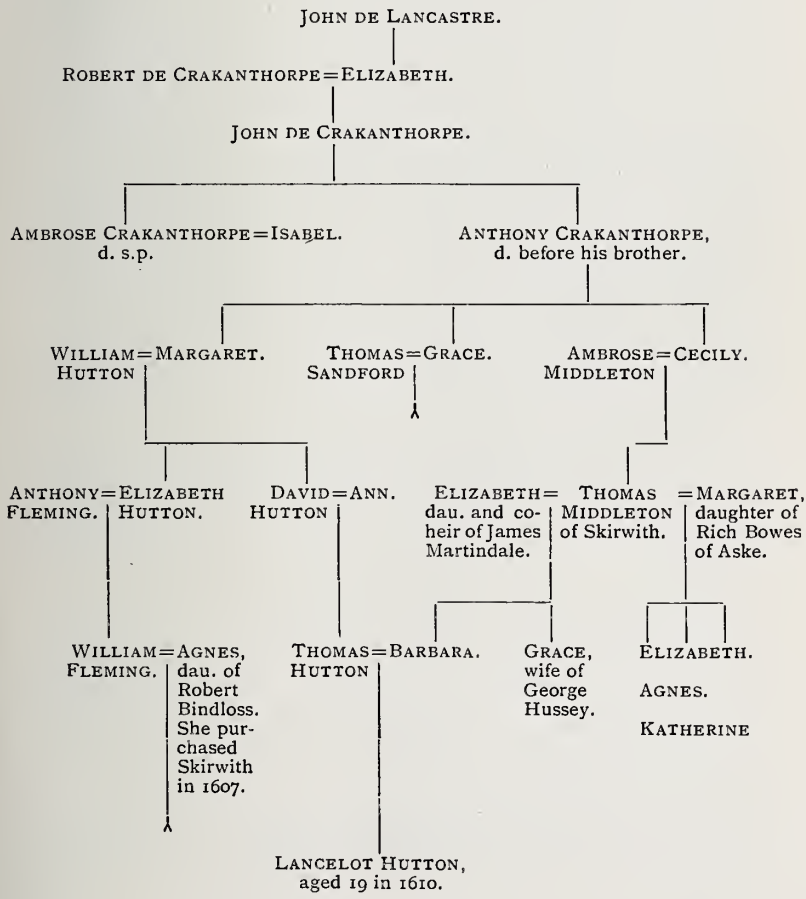
Of Robert Crakanthorp there is not much to record. His wife survived him and a second husband. She had Howgill and Skirwith as her share, and lived till the reign of Edward IV.* At her death she held Skirwith for life, with remainder to John, son of Robert de Crakanthorp, by virtue of a conveyance, to which one of the parties was Roger de Crakanthorp, parson of Kirkby Thore. The manor was held of Richard Salkeld by fealty and the service of one pair of spurs annually, or six pence. She also had the manor of Little Dalston for life, remainder to Robert de Dalston, kinsman and heir of John de Dalston, once her husband.

John de Crakanthorp of Howgill was her son and next heir, and also son and next heir of Robert, and was forty years of age.

John de Crakanthorp had two sons, Ambrose and Anthony, by the former of whom he was succeeded. The

* Inquisition post mortem, 2 Edward IV., 6.

Pedigree illustrating the Descent of the Manor of Skirwith.



next stages of the descent can be gathered from the inquisition on the death of Ambrose :—

Inquisition indented held at Penrith on Monday, 11 June, 12 Henry VIII. (1520), before Clement Skelton, escheator.

One John Crakenthorp, Esquire, father of Ambrose, whose heir the latter was, was seised in his demesne as of fee of the manor of Bromfeld long before his death or that of the said Ambrose, and being so seised enfeoffed Ambrose and Isabella his wife . . . . which Isabella is still living, by his charter, dated Thursday next after the Feast of St. Lawrence the Martyr, 18 Edward IV. (1478).

Also that Ambrose was seised in his demesne as of fee, long before his death, of the manors of Skyrwith and Ulseby and lands, &c. (specified), and by his charter dated 11 April, 11 Henry VIII. (1520), enfeoffed Thomas, Lord Dacre of Gillesland, Christopher Dacre, Knight, Anne Conyngesby, wife of Humphry Conyngesby, Knight, John Bone, vicar of the church of Lasyngby, Roland Thyrkeld, rector of the church of Melmerby, and John Whelpdall of Penrith, to hold to them and their assigns, to execute his last will . . . . and Ambrose by his last will, dated 12 April, 11 Henry VIII. (1520), willed that his feoffees aforesaid should stand and be seised . . . . to assign to Isabella his wife her reasonable dower . . . . and after to divide and apportion equally between Margaret, Cecily, and Grace, his kinsfolk and heirs.

Also that the said Ambrose died on Friday, 13 April, 11 Henry VIII., that the aforesaid Margaret, Cecily, and Grace are kinsfolk and nearest heirs of Ambrose, namely, daughters of Anthony Crakenthorp his brother, and on the day of Ambrose's death Margaret was 19 years of age and more, Cecily 15 and more, and Grace 14.

Margaret married William Hutton of the Forest; Grace married Thomas Sandford of Askham, and brought him Howgill; while Cecily married Ambrose Middleton of Barnard Castle, the representative of an old family of the County Palatine of Durham, to which we shall return presently, and had Skirwith.

From him we pass to his son Thomas Middleton, at whose death sundry details of family history are recorded :—*

* Among the jurors were :—Richard Lowther, Esq., Thomas Blenerhasset, Esq., William Hutton, John Whelpdall, and Thomas Bresbie, gentlemen.

Inquisition indented taken at Penrith on Monday, 30 October, 23 Elizabeth (1581), after the death of Thomas Middleton, Esquire.

Thomas Middleton was on the day of his death seised in his demesne as of fee of and in the manor of Skirwythe, a chief messuage and demesne lands; a rent arising from sundry lands once Roger de Skirwith's, and now in the tenure of Richard Lowther, Esq., and of four shillings and eightpence free rent arising from a chief messuage in Skirwith called Crugarth. Also of and in the fourth part of the manor of Mylburne in Westmorland, divided into four parts.

Margaret, his widow, is mentioned. His last will is dated 8 September, 22 Elizabeth.

He was seised to himself and the heirs male of his body, and in default of such issue to the heirs male of the body of Ambrose Middleton, deceased, father of Thomas Middleton, and in default of such issue to the right heirs of Ambrose aforesaid for ever.

He was also seised in the reversion of sundry messuages, land and tenements lately granted by Cecily Middleton, widow, deceased, mother of the said Thomas, to Anthony Middleton, John Middleton, Henry Middleton, and Richard Middleton, sons of Cecily.

Thomas Middleton died on the 20th of November, last past, without heir male of his body. Anthony Middleton, gentleman, brother of Thomas, is son and next heir male of the body of the said Ambrose, and is 50 years of age and upwards. Also that Barbary, now wife of Thomas Hutton, Esquire (aged 26), Grace Middleton (aged 24), Elizabeth Middleton (aged 12), Agnes Middleton (aged 9), and Katherine Middleton (aged 7) are daughters and next heirs of Thomas.

Grace afterwards married George Hussey, a Yorkshireman. In 1607 a fine was levied by which John Robson and Dorothy his wife, Lancelot Hutton, George Hussey and Grace his wife, and Robert Robson and Elizabeth his wife conveyed the manor of Skirwith and lands in Skirwith, Ousby, Langanby, and Culgaith to Agnes Fleming. She was the widow of William Fleming, who was the son of Anthony who married Elizabeth Hutton, and the descendant of one of the daughters of John de Lancaster, from whom, through another line, the manor had come down to the Huttons.

ART. II.—*The Border Manors.* By T. H. B. GRAHAM.

Communicated at Carlisle, April 14th, 1910.

IN order to study the history of the Cumberland border, it is necessary to have at one's finger-ends the genealogy of the great territorial families who ruled it. That genealogy is in substance contained in the *Accompt*, written by John Denton of Cardew, who obtained, under singular circumstances, access to old documents surviving at his day. The *Accompt* has been somewhat discredited, and, owing to the complexity of the subject, leaves upon the reader's mind an impression of chaos, but I have thrown the statements of John Denton and his annotators into the form of tabulated pedigrees, and have added approximate dates, so that it is possible to view the subject in proper perspective, and to ascertain who, at any given date, were the *dramatis personæ* engaged in evolving the story of the Western Marches.

In the middle ages there were three *strata* of society interested in the Cumberland border land. First, the great overlords of baronies (that is to say, collective groups of petty manors) held directly of the Crown. These were the barons of Liddel, Burgh-upon-Sands, Levington, and Gilsland. Below them came the lords of the petty manors, dependents, and usually kinsmen of the great barons. They were generally resident in the district and answerable, at the call of their superior lords, for a retinue of armed men and the performance of feudal obligations by themselves and their under-tenants freehold and customary. Lastly, there were the customary tenants of the manor, who were always in actual occupation of the soil, and who enjoyed a fixity of tenure which their superiors could never hope to possess, for the manor was constantly

subject to escheat and forfeiture, but the customary tenants still remained in possession of their holdings, in order to perform the necessary and unceasing duty of cultivating the arable field and fighting against the Scots. The old records are silent concerning this native population, but, when the veil is lifted, it appears to have consisted of clans of borderers, who furnished "riders" for the Lord Warden's raids.

The manor was the unit of civil and military government, and hence its importance in local history.

The Barony of Liddel.

(Dominating the manors of Liddel, Arthuret, Randilinton, and Solport).

In 1275 Joan de Stutevill died seised of Liddel barony, including a capital messuage and a forest, in which were assarts or closes called "Kackledy" (Catlowdy) and "Standgarthside," and the advowson of Eston Church, all held of the king in chief, by service of 56s. cornage at the king's exchequer at Carlisle and suit at Cumberland County Court (*Calendar of Inquisitions post mortem*, 4 Edward I., p. 120).* A full description of the barony is given on the death of her son and heir, Baldwin Wake, in 1281. It comprised the site of a castle, in which were a wooden hall, chapel, kitchen, and grange; a forest called Nichol Forest, seven leagues (*sic*) in length and from one to three leagues in breadth; the advowson of Eston and certain land called "Kaerwyndlo;" and among its dependent manors at that period were "Levington, which is a member of Liddel;" Randulves Levington, held by Richard de Kirkbride; and Solport, held by Geoffrey de Tilliol (*Ibid.*, 10 Edward I., p. 258). This overlordship, as I have already shown (these *Transactions*, N.S., vol. ix., p. 214), became eventually parcel of the Duchy of Lancaster.

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* I refer whenever possible to the new edition.

The Manors of Liddel and Arthuret.

These two manors have no individual history apart from that of the barony generally. In 1543 they appear to have been held by the Grahams of Netherby and the Mote, by lease from the Duchy of Lancaster (*Cal. Papers*, Henry VIII., vol. xviii., part i., p. 444).

The Manor of Randilinton.

Randolph Levington, or Randilinton, was held in Henry I.'s time by Randolph Boyvill, from whom it derives its name. He was a brother of the first lord of Kirklinton, and his daughter and heiress married one of the Kirkbride family, who thus became lords of Randilinton.

In 1281 Richard de Kirkbride, as already mentioned, held it of Baldwin Wake, and in 1327 John de Kirkbride, whose heir was his brother Walter, had Randolph Levington held of Thomas le Wake, lord of Liddel (*Calendar of Inquisitions post mortem*, 1 Edward III., p. 7).

Charles I. eventually granted and confirmed the three manors of Liddel, Arthuret, and Randilinton to the first Sir Richard Graham in fee simple (Nicolson and Burn, vol. ii., p. 465).

The Manor of Solport.

This manor was from the earliest times held of the barony of Liddel by the de Tilliols of Scaleby, so I will defer my account of its devolution until I come to deal with the manor of Scaleby, for it descended in precisely the same mode as the latter.

It lay within the parish of Stapleton, and the lords of Solport and Stapleton made presentations to the rectory in turn. The mansion house and demesne were situate at "the Shank," and there was a mill hard by on the Raeburn to which the customary tenants owed suit and paid "the sixteenth corn" (Nicolson and Burn, vol. ii., p. 480).

In 1618 Sir William Hutton, a commissioner of the Borders, occupied the mansion house at the Shank, under the earl of Cumberland *(Household Books of Lord William Howard,* published by the Surtees Society, p. 446).

The Barony of Burgh-upon-Sands.

(Dominating the manors of Bewcastle and Westlinton.)

This barony lay for the most part on the south side of the river Eden, but it is necessary to notice it, because it included the border manors of Bewcastle and Westlinton.

The profits of the barony were frequently enjoyed by female representatives of the ruling family (see pedigree A). The sole heiress of de Trivers carried it, on her marriage, to the Engaynes. The sole heiress of the Engaynes carried it, on her marriage, to the de Morvills. It was divided into moieties in John's reign between the two co-heiresses of Hugh de Morvill, but was reunited in the person of his descendant Thomas de Multon of Gilsland in Edward I.'s time.

The granddaughter of the said Thomas de Multon, another sole heiress, married Ranulf Dacre and died in Edward III.'s reign, and so the Dacres became lords of the two baronies of Burgh and Gilsland.

The Manor of Bewcastle.

Bewcastle is generally believed to have been the stronghold of the native chief Bueth, but a puzzling point in its history is the fact that, in historic times, it did not form part of the barony of Gilsland, but of Burgh. John Denton's explanation that the tenants of the latter barony were permitted to erect shiels in summer time on Bewcastle Fells and to pasture their cattle there, and that in consequence the manor came to be considered a part of Burgh barony, is not satisfactory (*Accompt*, p. 146).

Robert Boyvill, *alias* Robert de Bothcastre, a brother

of Richard de Levington the elder, had a carucate of land at Bewcastle in Henry I.'s reign (*Ibid.*, p. 151), and in 1200 (2 John) another Robert de Bothcastre, according to Dr. Todd, gave the advowson of Bewcastle Church to the priory of Carlisle (Nicolson and Burn, vol. ii., p. 477). The last-named was probably a Boyvill, because the manor was shortly afterwards in the Kirklinton branch of the same family.

Bewcastle belonged to Richard de Levington the younger in 1249 (see pedigree B). It was parcel of the barony of Burgh, and his brother Ranulf was his heir (*Calendar of Inquisitions post mortem*, 34 Henry III., p. 50). On the death of the latter's daughter Helewisa, wife of Eustace de Baliol in 1271, Bewcastle, stated to be worth five marks per annum, and to be held of the barony of Burgh and not of the king, descended to her six aunts or their representatives, all of whom, with the exception of Robert de Hampton, "remained in Scotland" (*Ibid.*, 56 Henry III., p. 277). But it shortly afterwards became vested in John de Swynburn, for he obtained a grant in 1279 of a weekly market on Monday at his manor of Bochecastle, and two yearly fairs there on the vigil, feast, morrow, and two days following of the nativity of St. Mary and of St. Barnabas respectively (*Calendar of Charter Rolls*, 7 Edward I., p. 213). In 1318 Adam de Swynburn held Bothecastredale (*Calendar of Inquisitions post mortem*, 12 Edward II., p. 290), and in 1326 Adam de Swynburn was the tenant of Bothecastel manor (*Ibid.*, 20 Edward II., p. 334).

In 1327 Barnaba, daughter and co-heiress of the said Adam de Swynburn, tenant-in-chief of the late king, was granted seisin of the manor of Bewcastle (*Calendar of Close Rolls*, 1 Edward III., p. 8), and in 1339 a relief was due from John de Stryvelin upon the death of Adam de Swynburn, father of Barnaba, the wife of the said John de Stryvelin, and of Henry de Swynburn, her brother (*Ibid.*, 13 Edward III., p. 93).

And then a deep gloom falls upon Bewcastle. It appears to have escheated to the Crown, for Edward IV. granted it to his brother Richard, duke of Gloucester, who was a warden of the western marches in 1477 (*Calendar of Close Rolls*, 18 Edward IV., part ii., p. 123), and afterwards king of England.

I will only state that in 1485 Sir John Middleton, who, I have reason to think, was captain of Bewcastle, held lands there situate within the barony of Burgh, which belonged to Humphrey Lord Dacre (*Calendar of Inquisitions post mortem*, 1 Henry VII., p. 67), and I will reserve the subsequent history of Bewcastle for another occasion.

The Manor of Westlinton.

Reginald Boyvill, a brother of the first lord of Levington, was lord of the manor of West Levington or Westlinton in Henry I.'s time. It was held in succession by his lineal descendants—Adam, Hugh, another Hugh, John the elder, and John the younger. In Edward the IV.'s reign the daughter and heiress of the last-named John Boyvill married Alexander Highmore of Harbybrow, whose descendants continued to be lords of the manor until Henry VIII.'s time, when one of them sold it to Lord Dacre (Denton's *Accompt*, p. 150). All the Dacre estates were forfeited to the Crown in consequence of the three brothers (Leonard, Edward, and Francis Dacre) having been partisans of Mary Queen of Scots, and in 44 Elizabeth (1601) a lease for lives of these estates was granted to certain persons (Nicolson and Burn, vol. ii., p. 351). The context shows that the manor of Westlinton was then parcel of the barony of Burgh, and I infer that it was always such.

The Barony of Levington.

(Dominating the manors of Kirklinton, Skelton, Kirkandrews-on-Eden, and Orton.)

In the reign of Henry I., Richard Boyvill (see pedigree B), the eldest of four brothers, who all obtained grants of land near the river Line, had Levington, or Kirklinton. He seems to have resided at Kirklinton, perhaps in the "castle" which tradition says once stood there, for he styled himself "de Levington," and that became the surname of his branch of the family. He was succeeded by his son Adam and his grandson Richard the younger, who in 1210 (12 John) gave 300 marks fine and three palfreys for livery of the lands of his father. Richard the younger died in 1249, and his heir was his brother Ranulf de Levington, who paid £100 for his relief, did homage, and had livery of the land. Ranulf died in 38 Henry III. (1253), leaving an infant daughter Helewisa, who, as is before stated, married Eustace de Baliol (*Ibid.*, vol. ii., p. 461).

In 1262 Eustace de Baliol and Helewisa his wife obtained the grant of a weekly market at their manor of Levington, and of a yearly fair there on the vigil, feast, and morrow of SS. Peter and Paul (*Calendar of Charter Rolls*, 46 Henry III., p. 39). Helewisa died in 1271, seised of "Levington Skelton and Kirkandrews," held as to two-thirds of the king in chief by barony, and as to the remaining one-third by (*sic*) Robert de Paveley through his wife in dower, the whole barony rendering 79s. yearly to the king's cornage (*Calendar of Inquisitions post mortem*, 56 Henry III., p. 277).

Helewisa de Levington left no children. The inheritance then passed to the six aunts of Helewisa (see pedigree B) or their representatives, whose names are stated in Nicolson and Burn (vol. ii., p. 461).

The barony of Levington was of small importance when compared to the greater constellations of Burgh and Gilsland, and its lustre was dimmed when it was dismembered by partition amongst the six co-heiresses. The overlordship, if anything more than nominal, was enjoyed in

shares by the holders for the time being of its component manors.

The Manor of Kirklinton.

The Boyvills or de Levingtons always retained the demesne in their own hands, and held the patronage of the rectory as lords of the manor. It would be unprofitable to pursue the devolution of the six portions into which the lordship was divided. Richard de Kirkbride, whose heir was his son Walter, had the lion's share, for he died in 1331 seised of one-third of the manor, including a park, held of the king in chief (*Calendar of Inquisitions post mortem*, 5 Edward III., p. 243). He was probably the occupant of the demesne lands.

Another one-third of the manor was purchased by Robert de Tilliol of Scaleby in Edward II.'s reign, and it is instructive to notice that in 1332 a presentation to the living was jointly made by King Edward III., in respect of the share belonging to Patrick de Southayk's heir (see pedigree B), of whom he was feudal guardian, and in respect of another share of Walter de Corry forfeited for rebellion, and by Walter de Kirkbride and Sir Peter de Tilliol in respect of their said shares (Nicolson and Burn, vol. ii., p. 463).

All the one-sixth parts are thus accounted for.

The de Tilliols' share of Kirklinton passed (see pedigree D) through the Colvills to the Musgraves, and Sir Edward Musgrave, Bart., who appears to have acquired the whole of the existing manorial rights, sold it to Edmund Appleby, ancestor of the "Dacres of Kirklinton."

The Barony of Gilsland.

(Dominating the manors of Stapleton and Askerton).

The early history of the overlordship of Gilsland pre-

sents little difficulty. Henry II. granted the barony to Hubert de Vaux to hold by the service of two knight's fees, and confirmed it to his son Robert de Vaux. The barony comprised "totam terram quam Gilbertus filius Boet tenuit, de quocunque illam tenuisset," and should therefore have included Bewcastle, but how Bewcastle came to form parcel of the barony of Burgh is a point which remains to be cleared up.

In 15 Henry II. (1168) Robert de Vaux (see pedigree C) paid two marks towards the feudal aid, levied upon the marriage of that king's daughter in respect of the two knight's fees by which he held Gilsland. He was a very prominent character. In 21 Henry II. (1174) he was sheriff of the county and governor of Carlisle. In 24 Henry II. (1177), he was one of the justices itinerant in Cumberland. Robert was a great benefactor to the church; he founded and endowed the priory of Lanercost, and gave the church of Hayton in Gilsland and a carucate of land at the same village to the priory of Carlisle. He married Ada Engayne, widow of Simon de Morvill, lord of the barony of Burgh *(Ibid.*, vol. ii., p. 487)

He was succeeded shortly afterwards by his younger brother Ranulf. The latter's son, Robert de Vaux (who was governor of Carlisle Castle and of Cumberland in 17 John, 1215), forfeited Gilsland to the Crown, but the barony was subsequently regranted to him, for in 6 Henry III. (1221) he paid four marks for the scutage in respect of the said two knight's fees. His granddaughter Matilda de Vaux, lady of Gilsland, married Thomas de Multon,* who died 55 Henry III. (1270) seised of one moiety of the barony of

* To this Thomas de Multon and Maud his wife there was a grant in 1252 of a weekly market on Tuesday at their manor of Brampton, and of a yearly fair there on the vigil and feast of the Decollation of St. John the Baptist (*Calendar of Charter Rolls*, 37 Henry III., p. 407). A curious conjecture has been founded on that fact—namely, that the village was transferred to a new site in order to form Brampton Park.

Burgh, and their descendants, the de Multons, were lords of the entire baronies of Gilsland and Burgh, until both passed, on the marriage of the sole heiress Margaret de Multon, to Ranulf Dacre of Dacre (see pedigree C and A), who in 1317 carried her away by force from Warwick Castle, although she was the king's ward (Lysons' *Cumberland*, p. 31).

The Manor of Stapleton.

The small manor of Stapleton included only the Stapleton constablewick of the parish of Stapleton, and it must not be confounded with the manor of Solport, which comprised the other three constablewicks of the same parish, and lay on the opposite bank of the river Line. The manor of Stapleton always formed part of the barony of Gilsland, and was held from time immemorial in two distinct moieties.

In 1249 Richard de Levington died seised of a moiety of Stapleton with the advowson of the church, held of Sir Thomas de Multon, lord of Gilsland (*Calendar of Inquisitions post mortem*, 34 Henry III., p. 50). Matilda de Carrick (*Ibid.*, 1 Edward II., 1307, p. 3), one of the numerous representatives of Helewisa de Levington, is believed to have sold this moiety to Robert de Tilliol (Nicolson and Burn, vol. ii., p. 480).

The other moiety of Stapleton is said to have belonged to John de Stapleton in 1329. I cannot verify the statement, but he certainly made a presentation to the church there in 1338 (Nicolson and Burn, vol. ii., p. 480). In 1432, a century later, William Stapleton of Edenhall, senior, had lands in Stapleton (*Calendar of Inquisitions post mortem*, 11 Henry VI., p. 145), and in 1467 Margaret Stapleton of Edenhall had the same (*Ibid.*, 8 Edward IV., p. 344), facts which tend to show that Stapleton in Gilsland was that family's domicile of origin.

And lastly, in 1485, the respective heirs of Sir Peter Tiliol and John Stapleton (who had apparently succeeded

to the said moieties of the manor) held their lands at Stapleton of Humphrey Lord Dacre of Gilsland (*Ibid.*, 1 Henry VII., p. 67).

The Manor of Askerton.

One of the early lords of Gilsland granted Askerton to his relation Roger de Vaux. The latter was succeeded by his son William, but on his death it reverted to the lord of the barony, and was never granted afresh. The demesne lands were thenceforth held by the land-serjeant of Gilsland, who commanded the local levies (Denton's *Accompt)*.

The manor comprised the tract of moor from which spring the head waters of the rivers Irthing and King, and its mansion house was Askerton Castle, built or rebuilt by Thomas Lord Dacre in the early part of the sixteenth century. Thomas Farlam, *quondam* keeper of Brampton Park, was bailiff of this exposed manor, and relates how, in Queen Mary's reign, he was taken prisoner in Scotland when carrying, as he had done for 20 years, the "pensell-pennant" or guidon of Gilsland (*Calendar of State Papers, Dom. Add.* Elizabeth, vol. iii.).

In Queen Elizabeth's time the manor was forfeited to the Crown, and Askerton Castle was occupied by Thomas Carleton of Carleton as land-serjeant, and on August 19th, 1598, there was a grant to John Musgrave of the land-serjeantship of Gilsland with the castle and manor of Askerton, and the office of bailiff of Askerton lately held by Thomas Carleton (*Ibid.*, vol. xxxiii.). But the acting bailiff of Askerton was Richard Graham of Breconhill, who in 1596 states that he had held that office for 20 years past (Bain's *Border Papers*, vol. ii., p. 145), and Thomas Carleton himself describes him as such in 1597 (*Ibid.*, p. 445).

In the early part of the last century, the Askerton quarter of Lanercost parish was sometimes called "Wulyevva quarter" from a locality there situate. In

Elizabeth's reign there were Armstrongs of Wylyave or Willyeavide (*Ibid.*, vol. i., pp. 121 and 383), and Lord William Howard in 1616 mentions Thomas Armstrong of Williavey (*Household Books, supra cit.*, p. 439).

The Manor of Scaleby *(per se)*.

This important manor stood alone, for it was never included in any barony, but was held directly of the Crown by the de Tilliols, who lived for many generations side by side with the Boyvills or de Levingtons. The founder of the family was Richard de Tilliol or Tilliolf, known as "Richard the Rider," who received a grant of land near Carlisle from Henry I. That grant, no doubt, included Scaleby. The small manor of Richardby or Rickerby also belonged to and obtained its name from Richard the Rider. He is said to have resided there, and his great-grandson, Adam de Tilliol, was certainly styled "of Richardby" (see pedigree D).

In 1246 Peter Tylloll, *alias* de Tilolf, died. "Geoffrey his son aged 16 is his heir. Of his marriage the jury know nothing. He lies sick at Cauntebrige and his —— is broken as is said." He had the manor of Scaleby, including Houghton and Etardeby, all held of the king in chief (except one carucate in Scaleby held of Sir Thomas Multon by knight's service); *also the manor of Solpert* held of the barony of Liddel, and Richardeby held of the prior of Carlisle by one mark rent *(Calendar of Inquisitions post mortem*, 31 Henry III., p. 28).

In 1294 Galfr'us de Tilyol had Scaleby and Solperd manors (*Ibid.*, 23 Edward I., p. 123). He is probably the above-named Geoffrey, though a pedigree in the possession of Sir Edward Musgrave made him his son (Hutchinson, vol. ii., p. 571).

In 1320 Robert Tilliol and Matilda his wife had Scaleby and Solperd, and certain lands at Kirklevington (*Calendar of Inquisitions post mortem*, 14 Edward II., p. 297).

In 1348 Peter de Tilliol had a third part of the vill of Kirklevington (*Ibid.*, 23 Edward III., p. 150).

In 1366 Robert Tilliol had two parts of Scaleby manor, one-third of Kirklevington manor and Solport manor (*Ibid.*, 41 Edward III., p. 282); and in 1368 Felicia, his wife, held one-third of Kirklevington manor and lands at Scaleby and Stapleton (*Ibid.*, 43 Edward III., p. 299).

In 1434 Sir Peter Tilliol died. He had Scaleby Castle (which is here mentioned for the first time), Solparde manor, one-third of Kirklevington manor, and Ricardby, which was held of the manor of Linstock (*Ibid.*, 13 Henry VI., p. 159), and in the following year his son Robert (an idiot) died entitled to the same lands (*Ibid.*, 14 Henry VI., p. 164). The inheritance was then divided between Sir Peter Tilliol's daughters, Isabella and Margaret, in two equal moieties, which I will call the Colvill moiety and Moresby moiety respectively.

In 1438 Isabella Colvill died possessed of the Colvill moiety, including one-half of Scaleby Castle, one-half of Scaleby and Salpherd manors, and one-half of a third of Kirklevington manor (*Ibid.*, 17 Henry VI., p. 188); and in 1458 "Margaret Moresby," lately wife of Thomas Crackenthorpe, died possessed of the Moresby moiety, including half a third of Kirklevington manor, half Scaleby Castle and manor, and half Solpard manor, which last-named was then held as of the Duchy of Lancaster (*Ibid.*, 37 Henry VI., p. 283).

In 1485 the heirs of Sir Peter Tiliol held "a moiety of Scaleby" of Humphrey Lord Dacre of Gilsland (*Ibid.*, 1 Henry VII., p. 67) because, as was noticed in 1246, there was a certain portion of the manor which was not held directly of the king.

Isabella's son, William Colvill, succeeded to the Colvill moiety, and at his death in 1479 left two daughters, Phyllis and Margaret, so the Colvill moiety was again subdivided into moieties, and, to add to the complexity of

the story, the two sisters married two brothers, named respectively William and Nicholas Musgrave.

But I will only deal with Margaret Musgrave's share, because she was the ancestress of the family who subsequently occupied Scaleby Castle. Her son was Thomas Musgrave, who married Elizabeth, daughter of Thomas Lord Dacre, and died in 1532; and her great grandson was Sir Edward Musgrave, Knight, who became a great landowner by buying up the Moresby moiety, which had (see pedigree D) been long outstanding in the Moresbys, Pickerings, and Westons, claiming descent from the coheiress Margaret de Tilliol. But his great possessions were not destined to remain intact, for his grandson, Sir Edward Musgrave, Bart., was so crippled by his loyal support of the Royalist cause that he was forced to part with his inheritance, and a new group of landowners took his place. Scaleby was sold to Richard Gilpin, Solport to Sir George Graham of Netherby, Levington or Kirklinton to Edmund Appleby (whose family assumed the name of Dacre), Rickerby to Cuthbert Studholme, and Houghton to Arthur Forster of Stangarthside. The subdivision of the manorial rights of Scaleby, Solport, and Kirklinton accounts for the apparent insignificance of those localities in Elizabeth's reign. No reference is made to Shank Castle, and Sir Edward Musgrave did not restore Scaleby Castle until he had purchased the outstanding Moresby moiety.

The widely diffused family of Musgrave played such a prominent part in the later history of these border manors as landowners, officers of the Crown, and otherwise, that I have added, at the risk of being wearisome, pedigree E, to show the connection of its various branches with one another, and my task is finished.

(A)

The Barony of Burgh.

DOMINATING THE MANORS OF BEWCASTLE AND WESTLINTON.

ROBERT DE ESTRIVERS or DE TRIVERS, lord of Burgh and chief forester of Inglewood. = A sister of Ranulf Meschyn.

IBRIA DE TRIVERS, sole heiress. = RANULF ENGAYNE, lord of Isel.

WILLIAM ENGAYNE = EUSTACHIA.

ADA ENGAYNE, sole heiress. She married secondly Robert de Vaux of Gilsland. = SIMON DE MORVILL had livery of Burgh in 3 Henry II., 1157, d. 1167.

HUGH DE MORVILL, obtained licence to fortify his mansion at Kirkoswald; d. 2 John, 1202. = HELEWISA DE STUTVILL,

(1) RICHARD DE LUCY. = ADA DE MORVILL, co-heiress, had one moiety of Burgh. = (2) THOMAS DE MULTON.

JOHANNA DE MORVILL, co-heiress, had one moiety of Burgh; d. 31 Henry III., 1246. = RICHARD GERNON.

THOMAS DE MULTON, had livery of one moiety of Burgh in 25 Henry III., 1240; chief forester of Inglewood by descent from his mother; d. 55 Henry III., 1270, = MATILDA DE VAUX, dau. and sole heir. of Hubert de Vaux; lady of the barony of Gilsland.

ADA GERNON, had one moiety of Burgh; d. 55 Henry III., 1270. = RANULF BOYVILL DE LEVINGTON.

THOMAS DE MULTON, the third of that name, succeeded Helewisa de Levington in the other moiety of Burgh; d. 23 Edward I., 1294, seised of Burgh and Gilsland. = ISABEL.

HELEWISA DE LEVINGTON. Her moiety of Burgh passed to Thomas de Multon; d. 56 Hen. III., 1271. = EUSTACE DE BALIOL

THOMAS DE MULTON. d. 7 Edward II., 1313.

MARGARET DE MULTON, sole heiress, lady of the baronies of Burgh and Gilsland; d. 36 Edward III., 1361. = RANULF DACRE of Dacre; d. 13 Edw. III., 1339.

(B)

The Barony of Levington.

DOMINATING THE MANORS OF KIRKLINTON, SKELTON, KIRKANDREWS, AND ORTON.

RICHARD BOYVILL, *alias* DE LEVINGTON the elder, temp. Henry I.

ADAM DE LEVINGTON, d. 12 John, 1210.

- RICHARD DE LEVINGTON, the younger, d. 34 Henry III., 1249, seised of the barony of Levington. = SARRA, d. 28 Edw. I., 1299.
- RANULPH DE LEVINGTON, succeeded his brother; d. 38 Hen. III., 1253. = ADA GERNON, who had one moiety of Burgh; d. 1270.
  - HELEWISA DE LEVINGTON, d. without issue 56 Henry III., 1271, and the barony of Levington passed to her six aunts above named. = EUSTACE DE BALIOL,
- EUPHEMIA, wife of Richard de Kirkbride.
- MARGARY, wife of Robert de Hampton.
- ISABEL, wife of Patrick de Southayk.
- EVA, wife of Walter de Corry.
- JULIAN, wife of Patrick Tromp.
- AGNES, wife of Walter de Twynham.

(C) The Barony of Gilsland.

DOMINATING THE MANORS OF STAPLETON AND ASKERTON.

HUBERT DE VAUX = GRECIA.
Henry II. granted the barony to him to hold by the service of two knight's fees; d. circ. 1164.

- ROBERT DE VAUX = ADA ENGAYNE, widow of Simon de Morvill, lord of Burgh.
  founder of Lanercost Priory. Henry II. confirmed the barony to him, d. s.p. 1194.
- RANULF DE VAUX = ALICIA.
  succeeded his brother, d. circ. 1199.
  - ROBERT DE VAUX = JOHANNA.
    In 17 John, 1215, he was governor of Carlisle Castle. In 6 Henry III., 1221, he paid scutage for his two knight's fees.
    - HUBERT DE VAUX.
      - MATILDA DE VAUX, = THOMAS DE MULTON
        lady of Gilsland. lord of one moiety of Burgh; d. 55 Henry III., 1270.
        - THOMAS DE MULTON = ISABEL.
          d. 23 Edward I., 1294, seised of the baronies of Gilsland and Burgh.

The Manor of Scaleby (per se).

- RICHARD DE TILLIOL, called "Richard the Rider," temp. Henry I.
  - SIMON TILLIOL, temp. Henry II.
    - PETER DE TILLIOL = A daughter of Geoffrey Lucy. d. 31 Henry III., 1246.
      - GALFR' or GEOFFREY DE TILLIOL, d. 23 Edward I., 1294.
        - ROBERT DE TILLIOL = MATILDA. d. 14 Edward II., 1320, purchased one-third of Levington.
          - SIR PIERS or PETER DE TILLIOL = ISABEL. d. 23 Edward III., 1348.
            - SIR ROBERT DE TILLIOL = FELICIA, d. 41 Edward III., 1366. d. 1368.
              - SIR PIERS or PETER DE TILLIOL = A daughter and co-heiress of Robert Mulcaster of Hayton (Aspatria). d. 13 Henry VI., 1414, seised of Scaleby, one-third Kirklinton and Solport.
                - ROBERT DE TILLIOL, an idiot, d. 1435.
                - ISABELLA TILLIOL = JOHN COLVILL. d. 17 Henry VI., 1438. Had the Colvill moiety.
                  - WILLIAM COLVILL, d. 19 Edward IV., 1479, seised of the Colvill moiety.
                    - PHYLLIS COLVILL = WILLIAM MUSGRAVE. of Crookdake, had one-half of the Colvill moiety.
                      - CUTHBERT MUSGRAVE = JOAN, dau. of Richard Lauder.
                        - MUNGO MUSGRAVE = Dau. of John Hutton of Hutton John.
                          - CUTHBERT MUSGRAVE = Dau. of Edw. Aglionby. of Crookdake.
                    - MARGARET COLVILL = NICHOLAS MUSGRAVE, of Hayton (Aspatria), had one-half of the Colvill moiety. d. 1500.
                      - THOMAS MUSGRAVE = ELIZABETH, dau. of Thomas Lord Dacre. of Hayton, d. 24 Henry VIII., 1532.
                        - WILLIAM MUSGRAVE = ISABEL, dau. and co-heiress of James Martindale of Newton. d. 40 Elizabeth, 1597.
                          - SIR EDWARD MUSGRAVE, Kt., = CATHERINE, dau. of Sir Thomas Penruddock of Exeter. repaired Scaleby Castle in 1606. Entitled to one-half of the Colvill moiety by descent and the Moresby moiety by purchase.
                  - ROBERT COLVILL, failed in his claim to the lands.
                - JAMES MORESBY = MARGARET TILLIOL = THOS. CRACKENTHORPE. d. 37 Henry VI., 1458. Had the Moresby moiety.
                  - SIR CHRISTOPHER MORESBY, had the Moresby moiety, d. 1 Edward IV., 1460.
                    - SIR CHRISTOPHER MORESBY, d. 16 Henry VII., 1500.
                      - ANNE MORESBY = SIR JAMES PICKERING of Killington, Westld.
                        - SIR CHRISTOPHER PICKERING.
                          - ANNE PICKERING = (1) SIR FRANCIS WESTON, Kt. d. 1583.
                            - (2) SIR HENRY KNEVET, Kt.
                            - (3) JOHN VAUGHAN.
                            - SIR HENRY WESTON, Kt., sold the Moresby moiety to Sir Edward Musgrave, Kt.
                - WILLIAM MUSGRAVE = CATHERINE, dau. and co-heiress of Sir Nich. Sherburne, Kt., Lancashire.
                - SIR EDWARD MUSGRAVE, Bt. = MARY, dau. of Sir Richard Graham, Bt., of Netherby.

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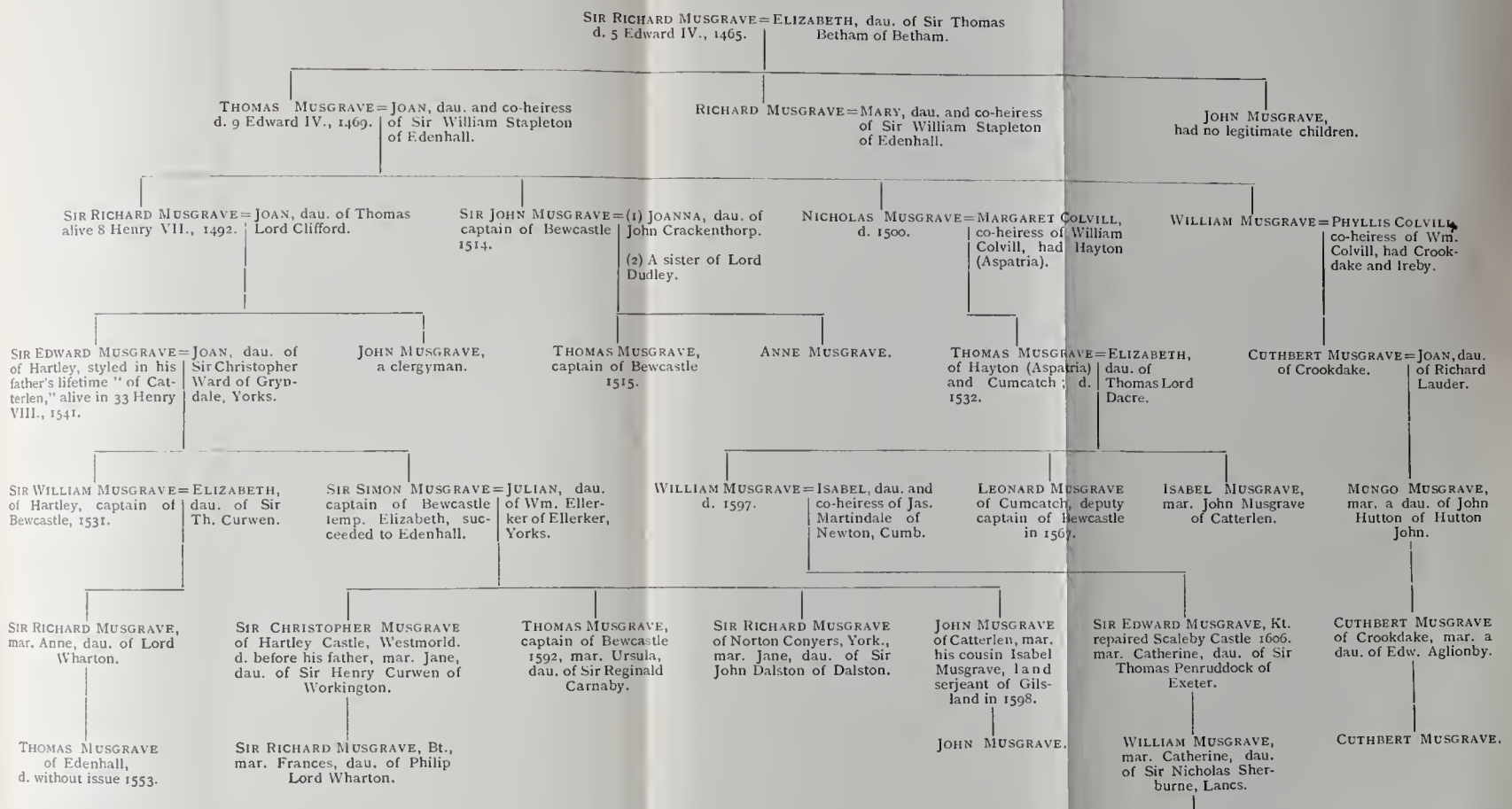
(E)

The Family of Musgrave of Harcla or Hartley, Westmorland.



TO FACE P. 54.

ART. III.—*The Barony of Liddel and its Occupants.* By T. H. B. GRAHAM.

Communicated at Carlisle, April 14th, 1910.

THE barony of Liddel formed a "buffer state" between the kingdoms of England and Scotland. It comprised the "Debateable Land" and the forest of Liddel, otherwise Nichol Forest. Its three manors of Arthuret, Liddel, and Randilinton are all described in the grant of land made by James I. to George, earl of Cumberland, as lying "within the limits of the forest."

The Debateable Land was Solway Moss and the rest of the dismal tract which intervened between the rivers Esk and Sark, and extended from the head of the Solway Firth to Canobie in Scotland—a veritable "No man's land," presenting no physical feature that could serve as a boundary between the two realms.

Nichol Forest, included in the angle formed by the river Liddel and its tributary the Kershope, consisted of open moor interspersed with patches of primeval woodland.

The tenants of the barony, who occupied dwellings scattered along the river banks, ostensibly gained a livelihood by cultivating their lands and pasturing cattle on the waste, but it was notorious that those cattle were seldom bought in market overt.

The ordinary machinery of the manor failed to keep a grip upon these lawless inhabitants, but some semblance of order was maintained by the unceasing vigilance of the Lord Warden of the Marches and his deputies.

In the first place, it is necessary to ascertain the names of these inhabitants and their places of abode. Those particulars are contained in a letter written towards the

close of 1583 by Thomas Musgrave, deputy-captain of Bewcastle, to Lord Burghley, high treasurer of Queen Elizabeth. The writer possessed an intimate knowledge of the locality, but he had killed a Graham; the whole clan were at deadly feud with him, and he had been obliged to abandon his post.* The original letter will repay a careful perusal, because it is the key to the public records of the period. Here is the picture which he has painted of the barony and its immediate surroundings.

The Kershope stream, which flows through a deep trough flanked by bare hills, clearly defined the northern limit of the barony and forest, and its banks were devoid of habitations, but the English side of the Liddel, from Kershope foot to Penton, was occupied by the Forsters. The chief of the clan was Forster of Stanegarthside, who is stated (these *Transactions*, N.S., vi., p. 206) to have held the office of hereditary forester of the barony. The arms and pedigree of this family are recorded in the Visitation of 1665 (Foster's *Cumberland and Westmorland Pedigrees*, p. 51). The remains of another domicile of the same family at Stonehaugh Crook have been described in these *Transactions*, N.S., ix., p. 216.

There were Forsters of Kershopefoot, Kershope Leys, the Roan and Rotterford, all dwelling "just against the Armstrongs and dear neighbours" to them.

The barony and forest abutted eastward upon Bewcastle, an extensive manor which contained a castle and garrison commanded by a "captain," and which, like the barony of Liddel, had for a long period been in the hands of the Crown. Immediately adjoining the Forsters' ground was a district traversed by the Baileywater and known as "the Bailey." It was held by the Routledges, who had formed so few alliances with Scottish families that they had become "every man's prey." John Routledge of

* Bain's *Border Papers*, vol. i., p. 120. His father, Sir Simon Musgrave, was acting as captain of Bewcastle, but it was "defenceless owing to the feud" (*Ibid.*, vol. i., p. 168).

Cructborne (Crookedburn) had been "slain by the Scottish riders." There were also Routledges of Netecleugh, of the Nook, the Stubb, Todhills and Baileyhead, where the "Routledge burn" still preserves the name of this Cumberland clan.

From the lofty heights, crowned by Christenbury Crags, two mountain streams, the Black Leven and the White Leven (or Line, as they are now called), descend and unite before joining the Liddel. Their valleys were inhabited by the clan of Nixon, and the tract of moor which lies between them and forms a township of Bewcastle parish is known as "Nixons" to this day.

The chief of the clan, according to "Glenriddle's" notes on an old border ballad,* had once held the office of "captain of Bewcastle." There was Clem Nixon of "the Hole of Leven," Hector Nixon of the Shate, John Nixon of the Park, Will Nixon *alias* "Beksword," and Cuddie Nixon *alias* "Blankirtluges."

Eastward again of the Nixons, and "hard by the house of Bewcastle," dwelt the Nobles—Hobbie Noble of border fame, Anton Noble (whose name perhaps survives in "Antonstown"), Archie Noble of the Ashycroft, Will Noble of the Crew, "murdered by old Whithaugh," Adam Noble of the Stockastead, and John Noble of the Saughs, "all within the demesne of Bewcastle."

The two rivers Leven unite at a spot called the Black Dubs, and here was another colony of Routledges—John Routledge of the Black Dubs, Gourthe, *i.e.* George Routledge of Sleetbeck, Will Routledge of Comcrauke, John Routledge of Troughhead, and Willie Routledge of the "Luckens of Leven."

The main stream of the Line flows on to Solport, once the abode of the border clan of Taylor. Here lived John Taylor of the Shank, Cuddie Taylor *alias* "Potts Cuddie," and a host of others; while "within" (*i.e.*, south

* "The Fray of Suport" (*Border Minstrelsy*, vol. ii., p. 128).

of Solport), lay Hethersgill, "all Hetheringtons almost to Carlile, being my lady Knevet's* grounde and William Musgrave's, & hath there Skalby Castell, a stronge howse yet scantly anie dweller in it."

The border ballad above referred to represents an uncouth woman calling to "snoring Jock of Solport Mill" and her other neighbours, with a scream like a view holloa, to rise and follow the fray:—

> Rise, ye carle coopers, frae making of kirns & tubs
> In the Nichol Forest woods.
> Ah! lads, we'll fang them a' in a net,
> For I hae a' the fords of Liddel set.
> There stands John Forster wi' five men at his back,
> Wi' bufft coat and cap of steil.
> Fy lads! Shout a' a' a' a' a'!!
> My gear's a' taen!

The banks of the Line from Solport to its junction with the Esk were held by the Grahams of the Leven, "great riders and ill-doers to both the realms." There was Dick Graham *alias* "Black Dick" and Dick Graham of the Woods, John Graham of Westlinton and Richard Graham of Randilinton, Andrew Graham of the Mill, Will Graham of Stonystonerigg, and George Graham *alias* "Parsell's Gorth," who was afterwards murdered (see *infra).* There is still a locality called "Parcelstown."

Another great clan of Grahams—the Grahams of the Esk—occupied the banks of that river from the Mote Scar, where the Liddel joins it, down to the sea. They had within the memory of persons then living deprived the Storys of those lands, and this is how it came about. "Old Lord Dacre" in 1527 determined to make a Warden's raid into Scotland, but some English borderers gave the Scots notice, and he fell into a trap. Lord Dacre suspected "old Richie Graham" and would have executed him, but the latter escaped from prison and delivered up

* For an explanation of this, see Nicolson and Burn, vol. ii., p. 459.

a Story as the culprit. The other Storys, fearing Lord Dacre's fury, fled into Northumberland, and the Grahams promptly divided their lands amongst themselves. George Story, known as "the laird," still resided at the junction of the Leven and Esk, and there were members of the broken clan living at Peelahill and other localities in Bewcastle.

Out west, on the edge of the Debateable Land, dwelt a third clan of Grahams—the Grahams of the Sark, English on this side of the stream, Scotch on the other; while along the banks of the Liddel, fronting the English barony and away up Liddesdale, stood the towers of the Armstrongs, the most desperate and unscrupulous of all the border clans.

Their chief was Simon Armstrong, laird of Mangerton, near Newcastleton. He married a Forster, and had amongst other issue the Laird's Jock, who is the companion of Hobbie Noble in the contemporary ballad "Jock o' the Side," and the Laird's John. Dick of Dryup, "a head thief," and Jock of the Calf-hill (Calfield) also belonged to that branch.

Then there was Lance Armstrong, the old laird of Whithaugh, and Sim, the young laird of the same "bloody and thievish clan;" "old Hector" of the Harelaw, near Penton Linns (who in 1569 treacherously betrayed the earl of Northumberland, when he took refuge with him, to the Regent Murray), and young Hector his son; also John of "Hollas," possibly a grandson of the famous "Johnnie Armstrong of Gilnockie," who resided at the tower of Hollows near Canobie, and was executed in 1530; and last but not least, "Kinmont Willie," who lived on English land given by Henry VIII. to his father Sandie Armstrong. His son was known as "Kinmont Jock."

All these families of Armstrong were closely related to one another (*Statistical Account of Dumfries*, p. 489), and the sites of their towers are shown on the Ordnance map.

I will arrange some random remarks of Thomas Mus-

grave, which elucidate the pedigree of the Grahams of Esk attached to this paper. The numerals refer to that pedigree.

(1) Old Rich of Netherby's descendants amounted in 1583 to more than a hundred men besides women. His second son William, *alias* "Riches Will," married as his first wife an Armstrong, daughter of the laird of Mangerton.

(2) Arthur of Canobie is not mentioned.

(3) Fergus of Mote's sons, William and Arthur, were convicted of murder, but were "loused." William was "slain" shortly afterwards, and Arthur lived on his father's land at the Mote until he was killed by Thomas Musgrave in self defence. Another son, Francis, married a daughter of Edward Irwin of Bonshaw, and lived at Canobie, "sworn denizant to the king" of Scotland. It was probably a daughter of this Fergus who married Irwin, laird of Gretna.

(4) John of Meadop, who married a sister of Edward Irwin of Kirkpatrick, was known as "the braid." His sons were Richard, called "Meadop;" William of Meadop, who married an Irwin, sister of the laird of Gretna, and is described elsewhere (Bain's *Border Papers*, vol. ii., p. 160) as "the brute of this whole country;" Jock, called "Braid's Jock," who married a daughter of Edward Irwin of Bonshaw; Simon, Fergus, Francis, and another son Jock, who appears to have been known later as "Jock of the Lake." Their sister married John Armstrong, *alias* "Laird's John," of Mangerton, and had two sons "riders in England."

(5) Thomas of Kirkandrews, afterwards known as "Little Tom," had a son Davie of Bankhead; George, *alias* "Thomas Gorth," who married Will of Kinmont's sister; "and," writes Musgrave, "Thomas Carleton, who seeketh all this dispute against me, married his (Thomas Gorth's) daughter, so his wife's friends will come on the day to him and her and spoil on the night as they go home."

(6) George of the Fauld (called by a slip of the pen William) had a son Rob of the Fauld, who married the laird of Hownam's daughter; another William who married a daughter of Hector Armstrong of Harelaw; and George of the Fauld. The following passage explains an obscure point in the pedigree:—"Creste Armstrong, goodman of Langholm Castle, married Robbie Graham's sister called Robbe of the Feild *(sic)*, and Creste Armstrong of Borngles (Barngliesh, apparently their son) married Gorth Graham's daughter called Thomas Gorth of Esk" (p. 122).

(7) William of Carliell's son Arthur was "Scottish," and lived at the Red Kirk.* Fergus was known as "Forge of Nunnery," and dwelt on the ground King Henry gave his father. Other sons were "Will of Rosetrees" and "George of Carliell." A daughter married George Armstrong of Bygams, one of the Mangerton family.

(8) Hutchin's son Andrew married a daughter of Dave Johnston of Annandale; Robert married a daughter of Edward Irwin of Bonshaw; Richard Graham, *alias* "Gares Rich," was "water keeper for England" in 1592 (*Ibid.*, vol. i., p. 395). "Huchon's children" seem to have lived on the Debateable Land (*Ibid.*, vol. i., p. 99).

Thomas Musgrave states (p. 125) that the Grahams of Pear-tree were "of Esk," but I cannot identify them in the pedigree. Pear-tree is shown on the excellent small-type map of the county contained in the first volume of Hutchinson's *History of Cumberland*. Hutchin Graham of the Pear-tree, mentioned below, may have resided here, but I have reason to think that Jock of the Pear-tree lived at another place of the same name at Randilinton. The Lake, Meadop, Fauld, Rosetrees, and Plomp are marked on the plan at p. 548 of the second volume. All were close to Solway Moss, which may have served as a place of retreat.

* The Red Kirk stood near the mouth of the Kirtle, but the church and churchyard have been swept away by encroachments of the sea (*Statistical Account of Dumfries*, p. 261).

The Debateable Land had already in 1552 been partitioned between England and Scotland. The immediate cause of this step was the refusal of the Scottish warden to grant redress to the said Sandie Armstrong, *alias* "Ill Will's Sandie." He and some of the Grahams threatened to "become Scotchmen" if they were not taken under the wing of England (Nicolson and Burn, i., pp. lxxiv. and lxxv.). Commissioners appointed for the purpose brilliantly accomplished their difficult task by drawing the line of demarcation between those of the inhabitants who declared themselves to be English and those who deemed themselves subjects of the Scottish Queen Mary. The awarded boundary ran from a square stone set at the bend of the Esk, "where Dimmisdaile syke comes in," to a similar stone on the bank of the Sark, set at a red cliff in Kirkrigg, where that river also makes a turn. The boundary stones were to bear the arms of England on their western and the arms of Scotland on their eastern faces.*

This boundary is referred to in 1583 as "the mere dyke that goeth from a place called Morton rigge, where Will of Kinmont dwelleth, to a ryver called Sarke," and thus the domicile in the Debateable Land of the famous Willie Armstrong is indicated.

"Scots Dyke" is the modern name of the dividing line. Its course westward of the high road to Canobie is marked by a long narrow plantation.

The "orders for watches,"† made by Lord Wharton at Carlisle in October, 1552, one month after the partition of the Debateable Land, contain minute directions for the protection of the barony at night. Along the Esk, from Leven foot to Liddel foot, fronting the Debateable Land, eight watches of two men each were ordered to be set, and from Liddel foot up stream to Haythwaite burn foot

* Northern and southern seem a more appropriate description.

† Nicolson's *Leges Marchiarum*, pp. 147, 150.

(Penton) three more watches of two men each; and "Richard Graham and his associates having the king's highness's grants in these places,"* were nightly to appoint the position of all these watches, and also two men to "search" them.

From Haythwaite burn foot to Kershope foot there were to be five watches of four men each, and they were to be searched every night by John Musgrave, the king's highness's servant. The latter is, no doubt, identical with the famous "Jack" Musgrave, captain and tenant of Bewcastle (*Calendar of State Papers, Dom. Add.*, Edward VI., p. 381).

Along the northern frontier, from Kershope foot to Kershope head, there were to be three watches of four men each—one at "Craighill foot" and the other two below it, and searchers for every watch were to be appointed nightly by the said John Musgrave. On the east the encircling ring of outposts was made to enclose both the barony of Liddel and the intervening Crown manor of Bewcastle, for where the wild Bewcastle fells marched with the barony of Gilsland there were to be (still following the waterways), from Kirkbeck head to Kirkbeck foot, four watches of two men each, and the dwellers on either side of the Kirkbeck stream were to supply the watchers, and also two searchers, one of whom was to be appointed by the land-serjeant of Gilsland (an officer under the Lord Warden) and the other by the said John Musgrave. From Kirkbeck foot, down the Leven to Harper Hill, four watches of two men each were to be set, half of them from either side of Leven water, and two searchers were to be appointed every night by the said land-serjeant and John Musgrave.

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* The Grahams of Netherby and Mote held their "fair livings" by the service of having their horses ready and keeping these night watches (Bain's *Border Papers*, vol. i., pp. 101, 168). The former residence is described in 1557 as "Netherby Citadel" (*Calendar of State Papers, Dom. Add.* Mary), and the latter stronghold has been recently visited by our Society.

From Harper Hill to Raeburn foot there were to be two watches of two men each, with searchers appointed by the said land-serjeant and John Musgrave.

The manor of Solport (comprising the constableries of Solport, Trough, and Bellbank) belonged to William Musgrave and Lady Knevet in moieties, and was here included within the *cordon* of watches, because it was parcel of the barony of Liddel.

The lower reaches of the river Leven were evidently considered vulnerable points of attack, because the circle of posts was here completed by setting six watches of four men each from Raeburn foot to Leven foot. It was further ordered that Kirklinton, Hethersgill, Soulby (? Scaleby), Austenby, and dwellers across the Leven should help in these last mentioned watches, and the searchers were to be appointed by a body composed of Richard Philipson (ruler of Scaleby), Edward Story (warden serjeant), George Hetherington (king's bailiff), and "proud Dick Grame."

But all the king's horses and all the king's men could not compel the denizens of Nichol Forest to keep the peace, for ever since 1548, when the young Queen of Scots set sail for France, the Border had been the scene of constant bloodshed and pillage by rival factions. Richard Bell's manuscript* contains a list of hundreds of persons against whom bills of complaint were exhibited to the Bishop of Carlisle, for serious offences committed "presently after the Queen's Majesty's departure" (Nicolson and Burn, i., lxxxi.). Amongst them were:—Jock of Kinmont (an Armstrong); Richie Graham of the Bailey; Will's Jock (a Graham); Richard Graham of Akeshaw Hill; Hector of Harelaw (an Armstrong); Will Graham of Rosetrees; John Musgrave of Catterlen, who was probably brother of Thomas Musgrave, captain of Bewcastle (see Foster's *Cumberland and Westmorland Pedigrees*, p. 91); Richie Graham, son of the Goodman of Breconhill;

* He was warden clerk of the West Marches in Queen Elizabeth's reign, and his folio MS. used to be preserved at Hawksdale.

Richie Graham the younger of Netherby; Jock of the Lake's Christie (a Graham); John of the Side, *alias* Gleed John (an Armstrong), perhaps the hero of the old border song "Jock o' the Side."

Two clerics figure in the list—namely, John Nelson, curate of Bewcastle, and Will Patrick, priest of Bewcastle; and there is a rabble with such names as Wat Graham, *alias* "Flaugh-tail," Will Graham, *alias* "Nimble Willie," and Will Graham, *alias* "Mickle Willie."

In Nicolson and Burn's history (i., p. xxx., *et seqq.*) are four documents transcribed from Richard Bell's manuscript, and giving details of the claims lodged in the Warden's Court by the English against the Scotch and *vice versa*. They are signed by the same Commissioners, and are therefore contemporary, and belong to the later part of Queen Elizabeth's reign. The following examples tend to prove that the inhabitants of the Border, high and low, rich and poor, were all tarred with the same brush.

ENGLAND *VERSUS* SCOTLAND.

Jan., 1582.—Thomas Routledge of Todholes against Kinmont Jock and Jock of Calf-hill (Armstrongs) for 40 kine and oxen, 20 sheep and gaite (goats), a horse and insight (household goods), value £300 sterling (*Ibid.*, p. xxxiii.).

June, 1582.—Matthew Taylor, and the poor widow of Martin Taylor, against the old and young lairds of Whithaugh (Armstrongs) for 140 kie and oxen, 100 sheep, 20 gaite, and all their insight, valued at £200 sterling, and for the slaughter of the said Martin Taylor and others (*Ibid.*, p. xxx).

Oct., 1582.—Thomas Musgrave, deputy-captain of Bewcastle, and the tenants against Walter Scott, laird of Buccleugh, for 200 kine and oxen and 300 gaite and sheep (*Ibid.*, p. xxxi.).

June, 1586.—Walter Graham, William Graham, and the tenants of Esk against Will Bell, *alias* "Redcloak," Wattie Bell, and the surnames of the Carliells for burning their mills and houses and for corn and insight, £400 (*Ibid.*, xxxiv.).

June, 1586.—James Graham and Hutchin Graham of the Peartree against Will Bell, *alias* "Redcloak," and Tom Bell for 60 kine and oxen, 100 sheep, and the spoil of their houses, £100 (*Ibid.* xxxiv.).

Dec., 1586.—The poor widow of Watt's Davie's Fargie against John of Hollows (an Armstrong) for the slaughter of her husband, 40 kine and oxen, 2 horses and insight, valued at £100 sterling (*Ibid.*, p. xxxiv.).

Sept., 1587.—Andrew Routledge of the Nook against the "Laird's Jock" and "Dick of Dryup" (Armstrongs) for 50 kine and oxen, and for burning his house, corn, and insight, value £100 (*Ibid.*, p. xxxi.).

Martinmas, 1587.—The poor widow and inhabitants of the town of Temmon against the lairds of Mangerton and Whithaugh (Armstrongs) for murder and carrying off prisoners for ransom (*Ibid.*, p. xxxi.).

SCOTLAND *VERSUS* ENGLAND.

The laird of Mangerton (Armstrong) against Cuddie Taylor and John Taylor for 200 kie and oxen and insight, value £20. Also against Mr. Humphrey Musgrave, Captain Pikeman, and his soldiers for taking him prisoner, and for oxen, kie, horses, sheep, gaite, and insight, value £1500 sterling (*Ibid.*, p. xxxii.).

Walter Scott of Branxholme against Will Graham of Rosetrees and Hutchin's Richie of the Bailey (Graham) for 80 kine and oxen, 40 nolt, 160 sheep, and a horse. And against Will Graham of the Fauld for 2000 sheep, 200 kine and oxen, 24 horses and insight (*Ibid.*, pp. xxxv. and xxxvi.).

The MS. sums up six years' account (1581-87) on the West Marches by reckoning that whereas England claims £9700 damages from Scotland, Scotland declares herself the loser in this raiding match to the amount of £41,600.

But the people of Liddel barony were not content with mere raids, for, incredible though it may seem, they actually seized and permanently occupied land in Scotland. In 1592 Lord Maxwell, the Scottish lord warden, lodged a formal complaint against the Grahams of Netherby, Bankhead, the Fauld, and others in respect of their "violent and masterful occupation" for 30 years past of the whole parish of Kirkandrews and stewardry of Annandale, and their profits amounting to £2000 sterling a year, which the abbot of Jedburgh had granted to Lord Maxwell's predecessors in title; against the Grahams of Plomp,

Netherby, Millhill, the Fauld, Meadop, and Brackenhill for similar occupation by themselves and their tenants during 25 years of the barony of Springkell, Logan, and Watoune of the annual value of £2500 Scots money, and against the Grahams of Netherby, Mote and Brackenhill for their similar occupation during 25 years of Harelaw and Canobie, and their annual profits amounting to 5000 Scots merk (Bain's *Border Papers*, vol. i., p. 421).

They frequently quarrelled amongst themselves, and a single instance will serve to show their brutality* to one another. In 1584 a coroner's jury at Carlisle returned a verdict that Simon Graham of Meadop, John Graham of the Lake (brother of Richard, *alias* "Meadop"), and Richard Graham, *alias* "Longtown," of Breconhill, all yeomen, and a large party of others described as husbandmen and labourers, assaulted George Graham, *alias* "Percival's Geordie," at Leven Bridge; that "Longtown," with a lance, value 20d., struck George Graham between the shoulders, and he fell to the ground. When he rose "Sim of Meadop," with a sword, worth 7s. 4d., struck him on the calf of the left leg, giving him a mortal wound 8½ thumbs long, four broad, and three deep, and a similar wound on the calf of the right leg, of which he died, and that Thomas Carleton of Askerton, gentleman, harboured 15 of the murderers (Bain's *Border Papers*, vol. i., p. 139). It was a miserable family dispute about land. "Longtown" (described as Richard Graham of Brakenhill, gentleman) and others were found guilty of murder at the Assizes (*Ibid.*, p. 152). The sons of Thomas Graham, *alias* "Little Tom," of Bankhead upon Esk, were also implicated (*Ibid.*, p. 463), but, strange to say, nobody was executed for this atrocious crime. Sim Meadop was shot with a "dag" by another Graham some years afterwards (*Ibid.*, vol. ii., p. 142). The excuse was

* In 1552 the Duke of Northumberland had written to the Grahams, charging them with "too much cruelty" (*Calendar of State Papers, Dom. Add.* Edward VI., p. 411).

"family feud" and that the deceased was himself a murderer and outlaw, and as such not entitled to the queen's protection.

There was a secret understanding between the English and Scotch borderers that external influence was to be resisted, and the following anecdote shows the complicated situations with which a Lord Warden had sometimes to deal. In August, 1596, some English subjects had put their cattle to grass with Robert Graham of the Lake of Esk, and he depastured them in Scotland, along with his own cattle and those of "his friends." They were all carried off by the Elwoods.* Lord Scrope was very indignant, and told Rob of the Lake that he would imprison him until he had given satisfaction to the poor owners. Rob apprehended an Elwood, whom he alleged to be liable for payment of the bill, and a "tryste" between the English and Scotch was arranged to settle the matter. But on the night before the appointed meeting Rob was sleeping at the house of David Graham of Bankhead when down swooped Sir Walter Scott, laird of Buccleugh, at the head of 400 mounted men, Scotts and Elwoods, with a trumpeter and two guidons, and invested Davie's house. It was a strong one, and well supplied with powder and shot, but the occupants made no show of defence. They did not even rouse the neighbouring Grahams, who could have turned out 300 men, but only mustered 16. So Buccleugh lighted a fire at the door of the tower, smoked out the inmates, and carried off Rob of the Lake, to be exchanged for the Elwood who was in custody at Carlisle. When Lord Scrope got word of this he sent a force to relieve Rob, but finding that he had allowed himself to be taken prisoner, he made a raid into Buccleugh's country, and drove off 280 cattle, 400 sheep, and some horses, "firing their houses," he writes, "as they do ours almost nightly" (Scope to Cecil, *Ibid.*, vol. ii., 168). Davie

* The Elwoods or Elliots inhabited the banks of the Liddel above Kershope foot (*Ibid.*, vol. i., p. 120).

Graham, to keep himself in countenance, made a claim against Buccleugh for coming to his "stonehouse"* of Bankhead upon Esk, forcibly bursting and burning the door and the iron gate, taking Robin of the Lake and some Grahams of Meadop prisoners, and stealing household stuff worth £400 (*Ibid.*, vol. ii., p. 198).

Lord Scrope was a very conscientious Lord Warden, always sincere, but he was disgusted with the insolent behaviour of the Grahams and Buccleugh towards himself. He felt that his authority was not sufficiently supported by the Government, and frequently threatened to resign office. On April 14th, 1596, he wrote to Henry Leigh:—

Touching the Grahams. In Lord Dacre's time, when he meant justice on some of them, they pricked at him returning from a day of truce, hooved after him over Eden bridge, and took eight of his company prisoners between it and Carlisle. In the late Lord Scrope's time, they attacked him in the field, chased the steward of Burgh,† unhorsed the bailiff and took his horse, hurting many of his company. No officer here can purpose anything ever so secretly against an evil doer of England or Scotland, but the Grahams hear of it and prevent it. They were privy with Buccleugh in the surprise of this castle (Carlisle), and at Buccleugh's horse-race long before, many of them were asked for their consent thereto, and let him ride through them without shout or hindrance. Few gentlemen can keep their goods safe unless matched (*i.e.*, married) with them, or have them as tenants, or pay blackmail (*Ibid.*, vol. ii., p. 123).

And on July 13th, 1597, he wrote to Cecil:—

At the late assizes, holden here, 11th and 12th instant, two notorious thieves, Jock of the Peartree and Will of the Lake of Esk, were sent to the Queen's gaol here, yet the gaoler kept them in his house, and on Tuesday the 12th, about 4 a.m., his friends came and took away the prisoners, having horses ready, while others with guns and dags lay in wait outside the city gate, to shoot any who should pursue, and followed to protect their retreat. Those who aided the rescue were John of the Lake, George his son, Rich Graham of Aikshaw-

* The place-name "Stonehouse," which occurs at Hayton and elsewhere, may refer to the former existence of some such place of defence.

† The steward's duties were to occupy Rockcliffe Castle, to watch the Eden at ebb tide, and to keep out "Kinmont's retinue" at night (*Ibid.*, vol. i., pp. 101 and 392).

hill, Will Graham son to Hutchin's Richie, David his brother, Wat brother of Jock of Peartree, George Graham *alias* "George Carlel" (*Ibid.*, vol. ii., p. 358).

A very complete pedigree of the Grahams of Esk has reposed for centuries among mildewed leaves in the wilderness of State records, but is now, like the "Sleeping Beauty," restored to the light of day. I have thought it worth while to present it *in extenso*, because it is of more than mere family interest, and is in fact a page of county history. It is copiously annotated by Lord Burghley and his secretary, and states that the family were descended from William Graham, *alias* "Long Will," banished from Scotland about the year 1516. The statement does not imply that he came from any great distance. There were already many Grahams living on the Border—"stark moss-trooping Scots," like William of Deloraine, and banishment was complete if the outlaw merely stepped over the frontier line. But the pedigree hints that members of the family in question were in some manner connected with the Highland clan, because the Scottish earls of Menteith and Montrose professed to regard them as some of their lost sheep.

It further shows that the Grahams were (as might be anticipated) intimately connected by ties of blood and interest with the other Border families. If left alone these clans would have created an *imperium in imperio*, but they were never allowed to do so. For, from the time of Henry VIII. downwards, the wire-pullers on either side of the Border contrived, by gifts of land and money and promises of support, to play off one family against the other, and thus prevent any lasting combination.

The document,* containing the genealogy and Lord Burghley's quaint comments, is endorsed "A Catalog of the Greames":—

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* Bain's *Border Papers*, vol. ii., appendix.

PEDIGREE OF THE GRAMES OF ESK.

1596, May. A breefe relacion of the begininge and discent of the Grames nowe inhabitinge the Debateable grounde, neare the River of Eske in England, accordinge to my presente understandinge; where the Stories in former tyme were cheef inhabitors, and nowe expelled by the nombre of the said Grames increased.

William Grame, *alias* Longe Will, bannished out of Scotland about 80 yeires since, came into England and brought with him eight sonnes, whome he planted neare the said River of Eske as followeth.

By this William doe the earles of Mounteth and Montrosse in Scotland claime interrest of the service of all the Grames, as discended out of their howses, as the Lord Grame, which of late lay amongest them for the same purpose, did manifest.

Note—That these marriages were made by the policy and wit of Mr. Richard Lowther and Tho. Carlton, to unite friendship between the houses of Netherbye and Mote, who had been long at civil dissension and much bloodshed, the agreement of whom hath disturbed the peace of her Majesty's better subjects, and according to their purpose, disquieted the government of the Lord Scrope.

It is to be collected out of this that John Armestronge of the Hollas, sisters sonn to Walter Grame, Christopher Armstronge of Barngliese, sisters son to Robert Grame of the Fald, John Armstronge *alias* Jock of Kinmount, sisters sonn to Andrew Grame *alias* Hutchins Andrew, John Armstronge of the Cafell, sisters sonn to Richard Grame of Breckanhill, William Bell *alias* Redd Cloake, sisters sonn to William Grame of the Rose Tree, Alexander Armstronge, sisters sonn to William Grame *alias* Riches Will, Sym Armstronge, lard of Whithaugh, father-in-law to William Grame of the Fald, were all principal actors with Buckclughe at the losinge of Kinmont; besydes William Urwin *alias* Kange and his bretheren, which were brothers to Hutchins Andrew by the mother's side. Therefore it is convenient that the Grames above said be sent for, being all privie to Buckclughe proceedinges, togeather with Young Hutchin Grame and Alexander Grame, whoe are thought both to be in person at the assault of her Majestes Castle.

There are also another sort of Grames, which inhabit upon the rivers of Levyn and Sarke, which are not of this race, but by course of tyme have maryed together, and are become of one partie to the nomber of foure or five hundred, allmost all evel disposed, besydes Stories, Taylers, Fosters and Hetheringtons, and Bells, which are matched with them and like disposed.

[Grames of Esk, 1596.]

(1) RICHARD OF NETHERBY.

- RICHARD, who mar. a daughter of Edward Eglyonbye of Carliel. By this marriage the Aglionbyes and the Musgraves of Crookdake are "cosin-jermans" to Walter Grame and the Armstrongs of Hollas in Scotland; and the Salkelds of Corkby near allied unto them, whereby the Grames receive great favour and secret oversight, and by their means the Armstrongs, which are principal spoilers of the Queen's subjects. For good service done by him, the King Henry VIII. gave him "good lands" and the Duke of "North[folk]" gave him arms.
  - WALTER of Netherby, now chief, who mar. with Robert of the Fald.
    - RICHARD, who mar. a dau. of Richard Grame of Breckenhill, with other sons and daughters, young.
  - DAVIE. mar. with Scotland.
  - WILLIAM.
  - JOHN, with others unknown.
  - MARIE, mar. to Jo. Armstrong of the Hollas in Scotland.
    - JOHN, a principal actor with Buccleuch.
    - "Richard."
- WILLIAM, who mar. an Elwood, a Scotswoman.
  - JOHN, "*vel* Wills Jock," mar. with Scotland.
    - WILLIAM, who mar. a dau. of Richard Grame of Breckanhill.
  - FARGUS, mar. a dau. of Kinmonts.
  - RICHARD, GEORGE, ARTHUR, JAMES, with others unknown, mostly mar. with Scotland.
- GEORGE, who dwells at the Red Kirk in Scotland, and mar. a Maxwell.
- THOMAS, of Galawaye, mar. a Scotswoman.
  - Seven or eight sons, besides daughters mostly mar. with Scotland.
- Another base.

(2) ARTHUR OF CANONBY IN SCOTLAND.

"No here male."
One daughter mar. to Christofer Armstrong of Langham in Scotland.

JOHN ARMSTRONG, now of Langham.

JOHN,
who mar. with Kinmont, a principal actor with Buccleuch.

(3) FERGUS OF THE MOTE.

- WILLIAM, who died s.p.
- ARTHUR, mar. with the Johnstons of Newby in Scotland.
  - WILLIAM, now of the Mote, mar. a dau. of Thos. Carlton by Richard Lowther's sister. This William has £20 yearly pension of her Majesty, because his father "Arthur" was slain by Thos. Musgrave, captain of Bewcastle, but if his service hereafter be no better than as yet, the pension might be better bestowed, for he is a daily abettor of evil.
- RICHARD of Breconhill, who mar. with Batison in Scotland.
  - ARTHUR, with others.
  - RICHARD, who mar. a dau. of Wills Jock.
  - Divers daughters, whereof one mar. Wills Jock's son.
- GEORGE and FRANCIS, mar. and dwelling in Scotland.
- One daughter, mar. to Armstrong of Cafell in Scotland.
  - JOCK of the Cawfell, &c., now common spoilers of the Queen's subjects.
- Another to Hector Armstrong of the Harelaw in Scotland.

(4) JOHN OF MEDOPPE.

- RICHARD.
- WILLIAM.
- ROBERT.
- JOHN.

All mar. with Scotland, their issue a great number.

(5) THOMAS OF KIRKANDERS.

- GEORGE, mar. with Armstrong of Mangerton.
  - ALEXANDER, principal guide to Buckclughe.
  - A daughter, mar. to Thos. Carlton.
  - And another to Christofer Armstrong of Barnleis in Scotland, which was with Buckleughe, a common spoiler of the Queen's subjects.
- CHRISTOFER and DAVIE, both mar. with Scotland.

(6) GEORGE OF THE FAULD.

- ROBERT, mar. with "Caruddoses" in Scotland.
  - WILLIAM, mar. a dau. of Armstrong of Whithaugh.
  - A daughter, mar. to Walter Grame of Netherby.
  - With other sons. (?)
- WILLIAM, who mar. with Armstrongs of Whithaugh

(7) WILLIAM OF CARLIELL.

- ARTHUR, dwelling at Blotewood in Scotland.
- FARGUS, mar. to "Barro."
  - WILLIAM and ROBERT, "dwelling inward in England,—very good subjects."
- RICHARD, dwelling at Longriggs in Scotland.
- WILLIAM of the Rosetree.
  - Several young, by a daughter of Hutchin Richards. This man hath lands in Scotland, given him by Lord Maxwell for service done and to be done.
- GEORGE and WALTER.
- One daughter, mar. to Bell in Scotland.
  - WILLIAM BELL, *alias* "Redd Cloke," a principal with Buckleugh.
- And another unknown.

(8) HUTCHEN, Base.

- WILLIAM, slain without issue.
- ANDREW, now chief of that branch. This Andrew hath lands given him from Lord Maxwell for service. It is thought "divers of the rest have pentions from noblemen in Scotland for service to be done as occasion shall requier."
- ROBERT, slain.
- DAVIE, slain, left issue.
- RICHARD, mar. with Urwins of Hodham in Scotland.
  - HUTCHIN, who mar. a dau. of John Armstrong of Hollis in Scotland.
  - GEORGE, RICHARD, and WILLIAM, with divers daus.
- ARTHUR, mar. a dau. of Rich. Grame, *alias* Gares.
  - Four sons, young.
- A daughter, mar. to William Armstrong, *alias* Kynmont, late a prisoner in Carlisle, and taken away by the Lord of Buckclughe.

Note.—In the wars with Scotland, Alexander Armstrong, father to this Will of Kynmont, with eight others of his sons, were pensioners to King Henry VIII., who for good service done, gave them lands in Cumberland called Guilcrookes, which his grandchild yet possesseth.

What, it may be asked, is the meaning of this official pedigree? The Grahams of Esk had been openly hostile to the old Lord Scrope while he was warden of the Western March, and when he died in June, 1592, they regarded his son, who succeeded him in that office, with no greater favour. Mr. Richard Lowther, who had discharged its duties in the interim, resented being passed over, for the queen objected to the appointment of a local magnate. So he and his relation Thomas Carleton* supported the Grahams in their opposition to the young Lord Scrope (Bain's *Border Papers*, Introduction, vol. ii.). Buccleugh's rescue of Kinmont Willie from Carlisle Castle on the night of April 13th, 1596, preyed deeply on Lord Scrope's mind. He was convinced that the Grahams were implicated in the plot, and caused the pedigree to be compiled. He sent six of their principal head men to the Privy Council, urging that they should be dealt with summarily, but the queen and Lord Burghley, fearing to raise a storm on the Border, sent the culprits home again with orders that they should be bound over for their good behaviour (*Ibid.*, p. xiii.).

The "six Grahams" returned from London on September 24th, 1596, "in great flaunt and hunting by the way," and dismounted for dinner at Carlisle, where they spoke very disdainfully of Scrope (*Ibid.*, vol. ii., p. 192), and three months elapsed before they were induced to make their submission "on their knees" to the Lord Warden in the presence of Mr. Richard Lowther and another magistrate (*Ibid.*, vol. ii., p. 238).

In 1600 the heads of the Graham clan seem to have had a presentiment that their days were numbered, for they drafted a petition† which they desired Lord Scrope

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* Thomas Carleton of Carleton was the Lord Warden's deputy constable, and also land serjeant of Gilsland in 1592 (*Ibid.*, vol. i., 395). In August, 1598, he was succeeded in the land serjeantry by John Musgrave, brother of Thomas (*State Papers, Dom. Add.* Elizabeth, vol. xxxiii.), and the old feud between the Grahams and Musgraves was revived.

† Richard Bell's MS. (Nicolson and Burn, i., p. cvi.).

to lay before Her Majesty's Privy Council. It contained most impudent allegations against the magistrates of the county, whom they represented as thirsting for the blood of the Grahams and ready to cut their throats if they dared, and as entering into a dangerous plot to tamper with their good friend Mr. Lowther, his lordship's deputy, in order to accomplish the utter destruction of their clan. But as proof of their dutiful obedience they thereby offered to become bound for their good behaviour in future, to follow hue and cry, and to assist the Lord Warden in seeking revenge for offences committed by the Scotch!

The injured and hypocritical tone here adopted by the Grahams ill accords with the record of their misdemeanors which had been drawn up four days previously (these *Transactions*, N.S., vol. viii., p. 66), and recalls the fable of the wolf and the lamb, but the Cumberland magistrates professed to see in this document the hand of Lancelot Carleton, whose family was connected by marriage with the Grahams, and whose conduct had lately been open to suspicion.*

Again, on October 8th, 1602, the Grahams handed to Lord Scrope a list † of those who were answerable for their followers therein named, and the entire company crowd upon the stage as is usual in the closing scene of a drama:—Walter Graham the Goodman of Netherby, John Graham of Anghouse-well (? Anguswell in Kirklinton), Fargus Graham of Sowport, Davie Graham of the Millens, John Graham of the Peartree and his brother Wattie, William Graham the Goodman of the Moat, Richie Graham of Breckonhill, Young Hutchin with his "clan and gang," William Graham of the Fauld, William Graham of Rosetrees, Davie Graham of Bankhead, Jock

* Lancelot Carleton told the Privy Council that Thomas Musgrave's office of Bewcastle was open for the Scotch to ride through, and agreed to prove the statement in a "trial by battle" at Canobie Holme on April 8th, 1602. A very interesting account of this incident is given by Nicolson and Burn, vol. i., p. 595, note.

† Richard Bell's MS. (Nicolson and Burn, i., p. cx.).

of the Lake, David Graham *alias* "Dick's Davie," William Graham the Goodman of Meadop. The list contains 439 names in all, including tenants and servants, and proves the truth of the statement made in 1592 (Bain's *Border Papers*, vol. i., p. 394) that the Grahams of Esk and Leven could on emergency raise 500 men—a valuable mounted force ever ready for Border service, but one which was too apt to get out of hand.

When James I. came to the throne, he showed the utmost zeal and determination in uprooting the landed families of Liddel, against whom he naturally bore a grudge. He retained the chief lordship of the barony in his own hands, but in February, 1603, granted to George Clifford, earl of Cumberland, the territory which had from time out of mind been the home of the Border clans —namely, the forest of Nichol and the manors of Arthuret, Liddel, and Randilinton, within the limits of the forest, all which said premises, though situate in Cumberland, formed part of the Duchy of Lancaster, and of the honour of Dunstanburgh, in the county of Northumberland; and at a later date (March, 1610) he granted to Francis Clifford, earl of Cumberland, the residue of the same territory—namely, the Debateable Land abutting on Scots Dyke towards the north and the advowson of the church of Kirkandrews, which church, it must be borne in mind, was not in existence (Nicolson and Burn, vol. ii., p. 465).

Meanwhile in December, 1603, the king issued a proclamation against the Grahams, which recited that they had humbly besought him *(sic)* that they might be removed to some other part where they hoped to become new men, and foreshadowed their approaching "transplantation" elsewhere to the intent that their lands might be inhabited by others (Nicolson and Burn, i., p. cxvii.).

The necessity for Border service was the sole reason for the license which had so long been accorded to them, and now, since such necessity had disappeared, they recognised that all hope of favour from any quarter had gone too. It

was a tame ending to their wild career, for most of them were, in the years 1606 and 1607, summarily shipped off to Ireland from Workington at the expense of the county (Richard Bell's MS., Nicolson and Burn, i., p. cxviii.).

The Armstrongs, celebrated in song and story, shared the same fate as the Grahams. They very imprudently signalised the accession of James I. by making a great raid into Cumberland, extending their ravages as far south as Penrith.

"Their raid," writes Sir Walter Scott (*Border Minstrelsy*, vol. i., p. 401), "the last of any note, was avenged in an exemplary manner. Most of their strongholds upon the Liddel were razed to the foundations, and several of their principal leaders executed at Carlisle, after which we find little mention of the Armstrongs in history. The lands possessed by them in former days have chiefly come into the hands of the Buccleugh family and of the Elliots, so that, with one or two exceptions, we may say that in the country which this warlike clan once occupied, there is hardly left a landowner of that name."

And now there appeared upon the scene a new character, who was destined to revive the fortunes of the banished family. He was not one of the heads of the clan, but the second son of Fergus Graham of Plomp,* a locality near the river Sark in the Debateable Land. He entered the service of George Villiers, duke of Buckingham, and soon rose to high favour in the court of James I. When it is remembered that the duke was the king's favourite and the practical ruler of England during that and the succeeding reign, Richard Graham's sudden accession to power is not a matter for surprise. He bought back from the Duke of Cumberland the whole of the territory formerly comprised in the barony of Liddel, for it had doubtless proved to be *damnosa hæreditas* in the hands of a stranger. Charles I. in 1628 confirmed this purchase (Nicolson and Burn, vol. ii., p. 465), and in the following year gave to the same Richard Graham (then described as Sir Richard

* Plump means a clump of trees.

Graham, knight and baronet*) the castle of Bewcastle to hold of the king *in capite* (*Ibid.*, vol. ii., p. 476), and in 1631 granted him power to refound a church "where the church of Kirkandrews formerly stood," and created a new parish for the same (*Ibid.*, vol. ii., p. 474). Sir Richard Graham performed distinguished service in the royal cause. He does not appear to have returned for any length of time to his native heath, for he died in 1653 at Wath in Yorkshire, where he lived in retirement during the stormy period of the Commonwealth (*Ibid.*, vol. ii., p. 467).

The Grahams of Plomp were not, according to Lord Burghley's catalogue and their own family tree, issue of the patriarch "Long Will," whose descendants swayed the destinies of the barony of Liddel for three generations, and they were not, strictly speaking, "Grahams of Esk" or members of the old Netherby clan. They no doubt belonged to what Lord Burghley describes as "another sort of Grahams inhabiting the rivers Leven and Sark." In the pedigree submitted, on behalf of the infant heir of Netherby, to Sir William Dugdale at his visitation of Cumberland in 1665, descent is claimed from a certain John Graham, *alias* "Jock with the bright sword," therein identified with John Graham of Kilbride, son of the first earl of Menteith. But Sir William Dugdale has drawn a line across the pedigree as though to indicate that there was no proof furnished of the connection between Fergus Graham of Plomp and the house of Menteith.

The last word written on this vexed subject by an eminent authority finally explodes the theory of the alleged descent :—

Tradition identifies this John of Kilbride with John or Sir John Graham of the bright sword, who is claimed as the ancestor of the Grahams of Netherby and Esk. That personage doubtless did

* He was created a baronet 29th March, 1629, by the style of Sir Richard Graham "of Esk."

ESKDALE WARD. Carlisle. 29. Martij. 1665.

GRAHAM OF NETHERBY.

Arms.—Quarterly as Graham of Nunnery, the border az., with a crescent for difference.

Crest.—Two wings addorsed or.

These armes with the descent of Sir Richard Graham, Knt., Gentleman of the Horse to K. James were thus declared and attested by the Right Hon. William, Earl of Monteith, and by Thomas Dryisdaill, Hay Herald.

MALICE, first earle of Monteith in Scotland, of the family of Grahme. = ANNE, dau. to . . . . Vere, earle of Oxford.

(2) JOHN GRAHME, commonly called John with the bright sword, temp. H. IV. Rex Angl.

RICHARD GRAHME, from whom all y^e Grahmes of the borders, both of the English and Scots side are lineally descended and chiefly the Houses of Netherby and Plomp.

FERGUS GRAHM of Plomp in com. Cumbriæ. = SIBILL, dau. of Wm. Bell of Godsbrigg in Scotland.

RICHARD GRAHME, Gentleman of the Horse to his Mati^e K. James, afterwards created Bart, dyed in A° 1661 *(sic)* or thereabouts. = CATHERINE, dau. and co-heir of Thomas Musgrave of Cumcatch in com. Cumbr.

(1) SIR GEORGE GRAHME of Netherby, Bart, dyed in February A° Dni 1657. = MARY, dau. of James Lord Johnston, earle of Hartfell in Scotland.

SIR RICHARD GRAHME, Bt., æt. 16 an 29 Martij a° 1665.

Certified by Ch. Vsher on the behalfe of Sir Richard Grahme, Bt.

The above is copied from *The Pedigrees of Cumberland and Westmorland*, edited by Joseph Foster, p. 54. The arms of Graham of Nunnery were :—Quarterly 1 and 4, or on a chief sable three escallops of the field. 2 and 3, or a fesse chequy arg. and az. in chief a chevronell gules all within a bordure engrailed. Fergus Graham of Nunnery, Cumberland, was a younger brother of Graham of Rosetrees (*Ibid.*, p. 55).

exist, as the local traditions regarding him are consistent, but the writer has been wholly unable to discover anything to identify the two men. John Graham "of Kilbride" is never styled Sir John, nor given in record the rank of "*Miles*," while, as indicated, there is a strong presumption that he left no lawful issue (*The Scots Peerage*, edited by Sir James Balfour Paul, Lord Lyon King of Arms, 1909, vol. vi., p. 146).

The armorial bearings of the family do not make the matter any clearer. All the Cumberland Grahams considered themselves entitled to use the three golden scallop shells borne by the Scottish clan, but the heralds allowed Graham of Nunnery, who was admittedly a Graham of Esk, to quarter the arms of Stuart with his own, and they also allowed the descendant of Fergus Graham of Plomp, who was apparently not a Graham of Esk, to do the same with a difference of bordure. The reason is not obvious, and I cannot go behind the finding of the heralds. But I conclude that all the Grahams of Esk, Leven, and Sark were descended from a common ancestor. That ancestor may, as tradition asserted, have been "Jock with the bright sword," but he certainly was not a son of the first Earl of Menteith.

The little that is recorded of the Grahams of Plomp shows that they were of the same disposition as the others. In 1592 the Scottish warden charged Sim, Fergie, and Leny of Plomp with the wrongful occupation of the barony of Springkell in conjunction with the other Grahams, and he further charged "Fargie the Plumpe" and others with having taken, in the same year at the town of Annan, 40 horses and 16 prisoners (whom he had ransomed together with their horses and armour), and with having stolen their purses of gold and silver, slain Thomas Brown, and mutilated John Brown (Bain's *Border Papers*, vol. i., p. 422).

In recounting these facts concerning the Graham family I may perhaps appear to be assuming the role of *advocatus diaboli*, but I am not blind to their virtues. They were a powerful factor in local politics, and adopted the dangerous

maxim that might is right; but in the circumstances, they were no worse than other lairds of the borderland.

Arthuret Church, which has more than once risen like the phœnix from its own ashes, was the only ecclesiastical building in Liddel during the period covered by this paper, and its parish was co-extensive with the barony. But it included the extinct parish of Easton, which is mentioned in the archives of the Bishop of Carlisle. In 1308 King Edward II., as guardian of the infant heir of Sir John Wake (lord of the barony), presented Simon de Beverly to the vacant rectory of Easton, and institution was given thereupon with a reservation of the pension to the parish church of Arthuret, "if any such there be." Again, in 1335, Thomas Wake, lord of Liddel, presented his chaplain to the vacant rectory of Easton, and in 1384 the Bishop of Carlisle collated John de Morton to the same rectory. But shortly after that date the church of Easton must have been destroyed and not rebuilt, for nothing more is heard of it.

Arthuret parish further included the extinct parish of Kirkandrews on Esk, which embraced part of the Debateable Land. The modern parish of Kirkandrews and chapelry of Nichol Forest have been carved out of the ancient parish of Arthuret. A jury of the West Marches returned a verdict in 1597 that the parish churches of Arthuret, Bewcastle, and Stapleton had been decayed for 60 years or more, and they did not even know who were the patrons or who ought to rebuild them; that the church of Kirklinton had also been decayed for 20 years, and that William Musgrave and his son Edward, afterwards Sir Edward Musgrave, were patrons of the same.*

In the foregoing paper I have dealt very generally with this interesting subject. The details are scattered throughout the voluminous series of Border records, which I have so frequently quoted, and will be found to fit themselves within the outline here given.

* Bain's *Border Papers*, vol. ii., p. 311.

ART. IV.—*A Virginian Colonist.* By the Rev. J. HAY COLLIGAN.

Read at Carlisle, April 14th, 1910.

AN interesting link between the colony of Virginia and the North of England has recently been established, by the discovery of a copy of the will of the Hon. William Nelson of Yorktown, Va., dated October 6th, 1772. It has been preserved among the trust deeds of the Penrith Presbyterian Church, Cumberland, and appears to have come into their possession in the following circumstances. That congregation had worshipped in a hired room at the Town Head since shortly after the Toleration Act in 1689. On New Year's Day, 1781, the trustees sent out an appeal for donations for a new meeting house. Prior to this date negotiations had taken place, probably on their behalf, but possibly as an individual speculation, between George Relph of Penrith, a trustee, and Thomas Nelson the younger, of Yorktown, with respect to the ancestral home of the Nelsons in Rockliffe Lane, Penrith. The property had belonged to the Hon. William Nelson, and had evidently been left by him in 1772 to his eldest son Thomas. With their vast estates and interests in Virginia, the family would naturally have little regard for the old home at Penrith, and, apparently, arrangements were made for its sale.

In November, 1778, Thomas Nelson the younger—evidently so described to distinguish him from his uncle, the Hon. Thomas Nelson—acknowledged receipt of £211 from George Relph for the property, together with the family pew of the Nelsons (No. 55) in St. Andrew's Church. In March, 1784, three years after the appeal for a new meeting house had been issued, George Relph, in

consideration of £200, transferred the property to the trustees of the congregation, but retained pew 55 for himself. The meeting house erected in that year still remains, although it is now a printing house.

Rockliffe Lane has suffered in dignity through the erection of King Street, and is now a narrow back street, but at the close of the eighteenth century was a wide and prominent part of the town. The Nelson home is described in the trust deed of 1784 as "all that messuage tenement or dwelling house standing in Rockliffe (now Rowcliffe) Lane, between the dwelling house of Richard Hull on the south side, and the houses and gardens heretofore of John Adderton, but now of Miss Abbot's on the south and west sides thereof, and fronting Rockliffe Lane, together with the yard, garden, and the house in the said yard; which messuage contains 14 yards in front and 14 yards in the rear, and the said yard about 9 yards sq., and held under the Duke of Portland, by payment of a yearly free rent of sixpence, and now in the possession of Mrs. Abrahams as farmer thereof, and purchased by George Relph of Thomas Nelson, Esq."

This location of the English home* of the Nelsons of Virginia is interesting, when we remember the great part they have taken in the affairs of that colony. In 1678 Thomas Nelson, the son of Hugh and Sarah Nelson, was born at Penrith (these *Transactions*, N.S., i., p. 105).

About the year 1705, he emigrated to Virginia. He probably sailed from Whitehaven, as this port at that time was doing a large trade with that colony, and the road between Penrith and Whitehaven was then, as it is to-day, an important one. Thomas Nelson died in Virginia, in 1745. Two of his sons, the Hon. William and the Hon.

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* The theory of the present writer is that the Nelson house was used from the year 1784 by the minister of the congregation, and the garden used for the erection of the meeting-house. Were this correct, then the cottage in possession of the present congregation, and known as "the old manse," is the original home of the Nelsons.

Thomas, became powerful factors in the colony,* while his grandson was one of those who signed the Declaration of Independence. As these particulars are well known, we shall confine ourselves to the transcription of the copy of the will recently found. Attached to the will is a paper bearing the signature of John, earl of Dunmore, His Majesty's lieutenant, governor-general of the colony and dominion of Virginia, vice-admiral of the same. It is a certificate to the effect that Thomas Everard, who had copied the will, was clerk of the court of York County, Va., and that full faith and credit ought to be given to all things attested by him. The seal (about an inch in diameter) of the colony is appended. On the reverse are the arms of the British Crown, and on the obverse is the figure of a colonist, with his hand on the head of a kneeling Indian, and a Latin motto, referring to the clemency of the colony. The will is as follows :—

In the name of God, Amen. I, William Nelson, of the town and county of York, in the Colony of Virginia, Esq., being at present indisposed, though in my perfect senses, do make this my last will and testimony. My precious and immortal soul, whenever it shall please God to call me hence, I most humbly resign into the hands of Almighty God, hoping through the merits and mediation of my blessed Saviour and Redeemer, Jesus Christ, to receive a full pardon of my great and manifold sins, and to partake in the joyful Resurrection at the last Day. My body I desire may be interred as my Executors shall think fit, in a decent, but not pompous manner, and as to the worldly Estate with which it has pleased God to bless me, so much above my desert, I dispose of the same (my just debts and funeral expenses being first paid) in the following manner :—

I give and bequeath unto my dear and beloved wife, Elizabeth Nelson, the sum of £5000 sterling, to be paid her within one year after my decease. I also give to my said well-beloved wife, the sum of £250 sterling per anm. during her natural life, the first payment to be made within one month of my decease. I also give to my said

* They were the sons of Margaret Read, whose grandfather was a nephew of Sir Francis Windebank, Secretary of State, temp. Charles I.

well-beloved wife, her watch and her jewels, rings, snuff boxes, cloaks, and other garments, of which she may be possessed at the time of my death. I also give to my well-beloved wife, during her natural life, my house wherein I now live, with the lotts and gardens thereto belonging, including the store-garden, but not the store-houses; also my stable, and the lott whereon it stands, the use of all my household furniture, plate, coach, chariot, and cart, with all their harness; my town horses and town cows, and the use of ten house servants, such as she shall choose. All of these things, I say. I give her the use of during her natural life.

I also give to my said well-beloved wife, all the liquors and provisions of every kind that shall be in the house at the time of my death, and any Madeira wine, and rum, imported for the use of my family, which may be in my storehouses. I likewise give her all such family goods and liquors as I may have wrote for. I also give to my said wife such new goods she may choose out of my store, for herself and the use of my three younger children, to the amount of £150 sterling, prime cost. I further give to my dear wife during her natural life, the use and profits of my plantations in Warwick and James City counties, commonly called Chuscake Plantation, with the use of the slaves, and stocks of every kind thereto belonging, and after her decease, I give and devise the said lands, slaves, stocks, and everything else belonging, to my son Hugh, and to his heirs for ever. I also give to my said dear wife, during the term of her life, the use of my plantations near Yorktown, called Penny's and Tarrapin Point, including my meadows, with the slaves, horses, carts, and stocks of every kind thereto belonging, with the liberty of cutting her firewood off the said lands, and also off a tract called Dowsings. It is my will, and I do accordingly direct that of the annuity hereby given to my dear wife, £100 sterling, shall be paid yearly by my son Thomas, and of the residue of my estate given to him, and £25 shall be paid by my sons Hugh and Robert yearly out of the Estates I shall give to them. It is my further will and desire that my dear wife shall be supplied out of any part of my estate with such beef, pork, wheat, and corn as she shall require annually.

After the decease of my dear wife I give to my son Hugh, his heirs and assigns for ever, the house I now live in, the lotts and gardens thereto belonging, together with the store-garden, but not the store-houses; also my stable, and the lot on which it stands; likewise all the furniture of my house, as it may remain at his Mother's death, my plate excepted. I also give to Hugh my Mulatto woman, named Aggy, with her children and future increase.

I give and devise to my sons Thomas and Hugh, and their heirs, as tenants in common and not as joint tenants, my storehouse in

Yorktown and at the Water Side, having already by deeds given to Hugh all my lands and slaves in the Counties of Frederic and Tanquur (?). I only give him a legacy in money, of £2000 sterling. I give and devise to Robert my son, all my lands in the county of Albemarle, with the slaves, and stocks of every kind thereto belonging, which lands, slaves and stocks, are now in the possession and occupation of my son Thomas, but as I shall by this will give Thomas a much larger proportion of my Estate, I do hereby order and direct that he shall give a release to his brother Robert of all that whole estate in the County of Albemarle, upon which condition he is to hold my lands and estate in the County of Hanover.

I also give and bequeath to my said son Robert, the sum of £2000 sterling. I give and devise to my two sons Nathanael and William, all my share in the Dismal Swamp scheme, and if either of them should die before he comes of age, I give and devise the whole to the survivor, and his heirs for ever. I also give and bequeath to Nathanael and William, to each, I say, the sum of £5000 sterling.

I desire that the pecuniary legacy given to my dear wife may be first paid, and that the other money legacies to my children may be paid according to their seniority, and that the parts to my younger sons may be placed out on interest till they respectively come of age.

After the death of my wife, I give to my son Thomas my best silver cup; and the rest of my plate I desire may be divided, two-third parts of which I give to Thomas, and the other to Hugh. I give to Thomas my Mulatto woman, Hannah, with her children, and all her future increase.

And after the death of my dear wife, the ten house servants, with their future increase, of which she is to have the use of for life, unto Hugh. I give to Thomas my Virginia amethyst seal, set in gold, and cornelian seal; to Robert my gold stock buckle; to Nathanael my sword and pistols, and to William I give my best garnet sleeve-buttons, set in gold.

I give to my dear sister, Mary Berkeley, the sum of £25 sterling per ann. during her life, to be paid by Thomas out of the residue of my estate, and I hereby remit and release to my said sister any sum or sums she may owe me at the time of my death.

I give and bequeath to my cousin Heptizeboh(?) Nelson, £20 current money a year, to be paid her by my son Thomas.

I give and bequeath to the Court of Directors, appointed by Act of the Assembly, to erect and superintend a hospital for the reception of Lunatics, &c., the sum of £100 current money, to be by them applied towards the further relief of such poor patients as may be sent to the said Hospital, as they in their discretion may think fit; but not to the enlargement of the building, or for any other purpose.

I give and bequeath £50 current money for the poor of the parish of Yorkhampton, to be distributed as my executors shall think proper. I desire that my wearing apparel of every kind may be disposed of in such as my dear wife and my two eldest sons may choose.

All the rest and residue of my Estate of what nature or quality soever,* whether real or personal, in Virginia or elsewhere, I give to Thomas Nelson, my son. I appoint my dear brother, the Hon. Thomas Nelson, Esq., my dear friend, Robert Carter Nicholson, Esq., and my two sons, Thomas and Hugh, Executors, of this my will, and guardians of my younger children during their minority.

I desire that my Estate may not be appraised, and that my Executors may not be obliged to give any security for the performance of the trust hereby reposed in them. Lastly, I do hereby revoke and annul all former wills.

In testimony hereof, I have set my hand and affixed my seal this sixth October, 1772.

William Nelson.

Witnesses.

Dudley Digges,
David Jameson,
Lawrence Smith, Jun.

A note dated December 21st, 1772, and signed by Thomas Everard, states that the will was proved.

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* This explains the sale of the Penrith property.

ART. V.—*The Officers of the Diocese of Carlisle.* By the Worshipful Chancellor PRESCOTT, D.D. I.—The Archdeacons of the Diocese. II.—The Officials Principal, Vicars General and Chancellors.

Read at Carlisle, April 14th, 1910.

THE lists of officers of the diocese will probably never be complete. Documents turn up from time to time containing references which were before unknown. Of late years the publication of ancient records, chartularies, and registers has been rapidly carried on. It has been recognised that these, rather than old chronicles and former histories, are the true sources of information. No lists of officers have been printed for a long period. Any that exist, such as those of Le Neve (*Fasti Ecclesiæ*, ed. T. D. Hardy, 1854), are imperfect, and give very few authorities. The following are not intended to afford biographical notices, but little more than names and dates, with references.

For some new names, and for many valuable suggestions, I am indebted to the Rev. Dr. Wilson, vicar of Dalston.

I.—THE ARCHDEACONS OF THE DIOCESE.

The archdeacons of Carlisle, no doubt, date from the foundation of the See in 1133. Their jurisdiction was conterminous with the ancient diocese,* and so remained until 1884.

ARCHDEACONRY OF WESTMORLAND.—In 1836 an Act was passed (6 and 7 William IV., cap. 77) empowering

* The curious story of that jurisdiction is told in my pamphlet *Visitations in the Ancient Diocese of Carlisle* (1888), p. 19 sq., and in Chancellor Ferguson's *Diocesan History, Carlisle*, p. 214.

the Ecclesiastical Commissioners to lay certain schemes before the Privy Council. By an Order in Council, dated August 10th, 1847, the diocese was ordered to be enlarged by the addition of Cumberland south of the Derwent, the southern part of Westmorland (*i.e.*, the barony of Kendal), and Lancashire North of the Sands. Also, by this Order, the new archdeaconry of Westmorland was created, and consisted of the above addition to the diocese of Carlisle. These portions had been in the diocese of Chester since its foundation in 1541, and previously in the archdeaconry of Richmond and diocese of York.

The Order was to come into force with the consent of the Bishop of Carlisle, or on the next vacancy of the See. The bishop, Bishop Percy, would not consent. He died on February 5th, 1856, and in that year the diocese was enlarged.

Archdeaconry of Furness.—An application was made to the Ecclesiastical Commissioners in 1882 to create and endow an archdeaconry of Barrow-in-Furness. This was refused, both as being unnecessary in itself, and as requiring a charge upon their common fund. The promoters then made a further application in different terms, Bishop Goodwin being a consenting party. The Commissioners drew up a scheme, exercising the powers they had under certain Acts, especially the Act (37 and 38 Victoria, cap. 63) which enabled them to alter the area of any archdeaconry or rural deanery. Objections were presented against the scheme, but an Order in Council was obtained on May 19th, 1884, and was published in the *London Gazette* on May 27th.

The terms of the scheme are singular, and worthy to be put on record. It appears that the patronage of the perpetual curacy of St. George, Barrow, was in the hands of certain trustees, who had no power to dispose of the same, the Ecclesiastical Commissioners having largely endowed the said benefice by an unconditional grant from their common fund in 1868. The scheme provided for

the transference of the patronage of the benefice from the trustees to the Bishop of Carlisle for the endowment of the proposed new archdeaconry by the annexation of the said benefice to it. Also, "as an inducement" *(sic)* to the Commissioners to recommend to the Privy Council this transfer, it had been proposed to pay into the hands of the Commissioners a sum sufficient to produce an annual income of £200, to be paid by them to the vicar so long as the benefice should continue annexed to the intended archdeaconry. This proposition the Commissioners accepted. A sum of £5000, 4 per cent. debenture stock of the Furness Railway, was transferred to them. In case the benefice of St. George, Barrow, should cease to be annexed to the intended archdeaconry, then this sum was to be retransferred. The terms relating to the archdeaconry, which was to be named "of Furness," not "of Barrow-in-Furness," were, as proposed by Bishop Goodwin, that the rural deanery of Keswick should be transferred from the archdeaconry of Carlisle to the archdeaconry of Westmorland, and that the latter archdeaconry, so enlarged, should be divided into two archdeaconries, four specified rural deaneries being taken from the archdeaconry of Westmorland to form the new archdeaconry of Furness.

The objection to this scheme are manifest. The abstraction of the twelve livings of the modern rural deanery of Keswick from the archdeaconry of Carlisle removed an old landmark, and destroyed a territorial division of great historical interest. The archdeaconry was the only existing representative of the ancient diocese and of the land or district of Carlisle. The latter was perhaps unique in the kingdom, and existed as a division before the shires of Cumberland and Westmorland were formed. But probably Ecclesiastical Commissioners are not much concerned with historical significance.

That the new archdeaconry was unnecessary had been already allowed by the Commissioners. By an offer of

£5000 they had been induced to propose this scheme, as well as by the transference of the patronage of St. George, Barrow, to the Bishop of Carlisle. But the offer was not unconditional, nor was this a free gift to the Church. The benefice was to be annexed to the archdeaconry of Furness and held with it, otherwise the money was to be repaid to the parties making the offer.

Now, so far as a portion of the diocese of Carlisle is concerned, the bishop can no longer promote to be archdeacon the person he thinks best fitted to the office. He is tied to one who thinks he can also work the large and laborious parish of St. George, Barrow, and all other clergymen are barred.

The consequences, considered from the point of view of the Church, were also serious. The new archdeaconry, consisting of only 60 livings, most of them far from populous, was almost grotesquely small when compared with the other archdeaconries of England. And yet the 60 clergy of this archdeaconry are represented in Convocation by an archdeacon and two proctors.

The Archdeacons of Carlisle.

Elyas.

He occurs in a charter of Bishop Athelwald, 1133-56, addressed to Elyas and the chapter of St. Mary, Carlisle, shortly before the death of the bishop in 1156 (*Chartulary of Whitby*, ed. J. C. Atkinson, pp. 38, 39, 42).

Robert.

He gives seisin of the church of Crosseby Ravenswart to the abbey of Whitby soon after the death of Bishop Athelwald in 1156 (see the references above on Elyas). He is witness to a charter of Huctred, son of Fergus, to the hospital of St. Peter at York, 1159-64 (*Calend. Doc. Scotland*, ed. J. Bain, ii., p. 422). He is witness to several charters in the register of Wetherhal, as

Nos. 28 and 36, probable date 1160-70, and No. 44, 1164-65 (ed. J. E. Prescott, pp. 64, 78, 98). He is a witness to the foundation charter of Lanercost, circ. 1169, and he appears in several charters in that register (*Register of Lanercost*, MS. i., 1., *et al.*). His date is probably not later than 1180.

PETER DE ROS.

He appears in two deeds in the register of Wetherhal, Nos. 120, 123, as custos of the bishopric of Carlisle during a vacancy of the See, 1180-90; he is also witness to a charter, No. 31 (p. 70), about the same date. He is witness to a charter of John, prior of Hexham, between 1189 and 1194 (*Memorials of Hexham*, ed. J. Raine, ii., p. 88); also a witness to a charter in the chartulary of Rievaulx, between the same dates (ed. J. C. Atkinson, p. 92). He is witness to a grant of Richard, son of Anketill, to the abbey of Holm Cultram, on June 17th, 1190 (*Register of Holm Cultram*, MS., fol. 31; Dugdale, *Monasticon*, v., p. 606). According to Roger de Hoveden, he died in 1196 (*Chronica*, ed. Stubbs, iv., 14).

[Robert, archdeacon of Carlisle, appears in the *Pipe Rolls*, 3 Richard I., and the four following years, 1192-1196. This probably only refers to a debt due after his death or resignation, as the names of the sureties are given; moreover, in 1192, Peter de Ros was certainly archdeacon, see Benedict Abbas (ed. Stubbs, ii., p. 247), who speaks of his excommunication by Archbishop Geoffrey at that date.]

AMERIC DE TAILLBOIS (OR THEBERT).

In 1196 the archdeaconry was granted to him by Richard I. (Roger de Hoveden, *Chronica*, ed. Stubbs, iv., 14); this he held until 1203, when Alexander de Lucy was appointed (see below). He was again appointed, February 14th, 1204 (*Charter Rolls*, 5 John,

ed. Hardy, 119b), with a confirmation of his possession of the church of Dalston. He is witness to a charter of King John on March 25th, 1200 (*Charter Rolls*, 1 John, ed. Hardy, 39b). He confirmed certain churches to the priory of Lanercost about 1200, before the time of Bishop Bernard (*Register of Lanercost*, viii., 2).

ALEXANDER DE LUCY.

King John gave the archdeaconry to him in 1203, on November 18th, having given him the temporalities of the See of Carlisle on June 8th, so that he only held the office three months, when Americ was appointed (*Patent Rolls*, 5 John, m. 5, m. 9; Record Com., pp. 30b, 35b).

GALFRID DE LASCY.

A letter of excommunication is addressed by the archbishop of York (probably Geoffrey Plantagenet, 1191-1207) to the official of G. de Lascy, archdeacon of Carlisle (*Register of Wetherhal*, No. 32, p. 72). Galfrid is witness to a grant of Adam, son of Robert, to the hospital of St. Nicholas, Carlisle, with the consent of Bishop Bernard, 1204-1215 (*Register of Bishop Kirkby*, f. 482).

[Robert de Rosse, 1225, is given by Le Neve (*Fasti Ecclesiæ Angliæ*, ed. Hardy, iii., 249), with a reference to the register of Wetherhal, but the archdeacon there is Robert de Otrington, see below.]

GERVASE DE LOUTHER.

He appears as witness to a confirmation by Bishop Walter Malclerk of the church of Burgo in 1234; also to an award by the same bishop to the prior and convent of Carlisle of the tithes of fish caught at Rochclive (*Register of Holm Cultram*, MS., foll. 17, 21). He appears in several charters in the register

of Wetherhal (see p. 56, n.); as archdeacon shortly before 1231 in No. 54, and shortly after 1231 in No. 97; see also No. 56. "G. archdeacon of Carlisle" was appointed to take an assize in 1228 (*Patent Rolls*, 12 Henry III., m. 3d).

ROBERT DE OTRINGTON.

A papal indult for him to accept the archdeaconry is dated April 12th, 1238 (*Calendar of Papal Letters*, Rolls Series, i., 270). He appears as witness in a charter in the register of Wetherhal, No. 137, whose date is between 1236 and 1239.

WALTER DE ULVESBY.

A papal license is granted to him to hold the church of Loudr on May 7th, 1245 (*Calendar of Papal Letters*, Rolls Series, i., 216). He is witness to several charters in the register of Wetheral, as Nos. 159, 160 about the year 1240, and No. 170 between 1240 and 1250. He makes an award, about the year 1250, between the abbot of Holm Cultram and Robert de Alverton, rector of Wygeton (*Register of Holm Cultram*, MS., f. 155). He appears to have been Official until 1239. He occurs often in the register of Lanercost—*e.g.*, in a charter dated 1259 (xv., 18).

NICHOLAS DE HAMSTED.

He appears in an Act concerning the church of Crosseby Ravenswathe, dated 1265 (*Chart. of Whitby*, ed. J. C. Atkinson, i., 279); also in an Act in Carlisle Cathedral in the year 1264 (*Register of Lanercost*, xiv., 12). In 1267 he pronounces sentence against W. de Neuby (xiv., 14).

H. OR HENRY.

About 1275 he is witness to a confirmation grant of Neuby by Bishop Chause (*Register of Holm Cultram*, MS., f. 26).

NICHOLAS DE LEWELIN.

He is witness to a charter of Matilda de Vallibus in her widowhood (*Register of Lanercost*, x., 7), which was between 1271 and 1293 (see *Register of Wetherhal*, p. 306). This must have been a date some years before 1285 (see below on R. de Lyth), probably about 1280, as Robert, prior of Carlisle, is also a witness. He is witness to another charter about the same period (xiii., 8).

RICHARD DE LYTH.

He appears in a deed in regard to Dalston, dated February 21st, 1284-5, as "Master Richard, archdeacon of Carlisle" (*Register of Archbishop John Romanus*, foll. 131, 132). From a papal dispensation, dated June 2nd, 1291, it appears that he was archdeacon for some years before that date, but he had been suspended and was now called to resign (*Calendar of Papal Letters*, Rolls Series, i., 538). Lyth was the old form of the name of the Leath Ward of Cumberland (see the four wards given in *Calend. Doc. Scotland*, ed. J. Bain, ii., 38). There is also a Lyth in the parish of Heversham, and a Lyth (now Lythe) near Whitby. The latter is probably the place connected with Richard (see the next name).

RICHARD DE WHYTEBY.

In 1292 he was one of those who valued the benefices of the diocese for the taxation of Pope Nicholas IV. (*Register of Bishop Kirkby*, f. 432). He declares, in November, 1292, that he is *persona impersonata* of the church of Salkeld, collated "by the said bishop" (*Placita de Quo Waranto*, Record Com., p. 116b). In 1284 he is directed to induct William de Goseford into the church of Ormesheved (*Register of Bishop Halton*, f. 11). From his time, or before, the rectory of Great Salkeld was united with the archdeaconry

of Carlisle until they were disconnected by Order in Council dated May 1st, 1855.

PETER DE INSULA.

He was instituted in 1302 as Juris Canonici Professor, and died in 1311 (*Register of Bishop Halton*, foll. 62, 143). There was an Act held before him "in Hospitio de Salkyld" on March 12th, 1303 (*Register of Lanercost*, xiv., 11).

GILBERT DE HALOGHTON.

He was collated November, 1311, and resigned in 1317 (*Register of Bishop Halton*, foll. 143, 207).

THOMAS DE CALDEBECK.

Rector of Ullesby (now Ousby), was collated June 27th, 1318 (*Register of Bishop Halton*, f. 209). His tomb is in Great Salkeld Church.

HENRY DE KARLIOL.

He was collated December 26th, 1319 (*Register of Bishop Halton*, f. 223).

WILLIAM DE KENDALE.

He appears as archdeacon in 1322 (*Register of Bishop Halton*, foll. 229, 231). He again appears in 1334, and was engaged in a long lawsuit with the bishop in 1337; he was excommunicated in 1339 (*Register of Bishop Kirkby*, foll. 314, 362-68, 407).

WILLIAM BRISEBAN.

He was archdeacon in 1349, for in May, 1350, Pope Clement VI. made provision of the archdeaconry to William de Savinhaco, it having been reserved to the Pope in the lifetime of William Briseban (*Calendar of Papal Letters*, Rolls Series, iii., 341, 343.)

[It is very doubtful whether William de Savinhaco ever held the office. There is a provision to him in the same year, in December, of a canonry and prebend of York (l.c., iii., 343)].

JOHN MARESCHAL.

In 1350 he makes an acknowledgement of 40 marks due by him to Thomas de Lucy (*Close Rolls*, 24 Edward III., m. 18d).

RICHARD DE ARTHURET.

He is given by Le Neve with the date 1354, and by Browne Willis, but without any reference (*Fasti Ecclesiæ*, ed. Hardy, iii., 249).

WILLIAM DE ROUTHBURY.

There are important orders with regard to the archdeacon's visitation in the years 1354-1360, given in the register of Bishop Welton (foll. 25, 28, 31, 67, 74). On August 7th, 1359, he is named with John (prior of Carlisle), Robert (abbot of Holm Cultram), and Lambert (abbot of Hepp) in an instrument to bury Lord William, baron of Graystok (f. 57). He made his will in 1364, on the Friday before Whitsun Day, May 10th, and the will was proved on May 18th (*Register of Bishop Appleby*, f. 142).

JOHN DE APPELBY.

He was instituted in 1364, resigning the rectory of Kirkoswald, and the office of Official (*Register of Bishop Appleby*, f. 143); he gave particulars of his income in 1366 (f. 152); he appears in 1376 and 1378 (foll. 289, 332); he resigned in 1379 (foll. 318). He was also dean of St. Paul's, London, by papal provision in 1364.

[HUMPHREY DE THIRLAND.

Le Neve gives this name as occuring in 1373, but there is evidently some error. Compare the preceding and succeeding names.]

THOMAS FELTON.

His benefice of Great Salkeld was assessed at £10 in 2 Richard II. (1379) for a clerical subsidy (*Exchequer, Q.R. Clerical Subsidies*, 60/1, m. 1).

THOMAS DE KARLEL.

In an indult dated March 10th, 1391 (*Calendar of Papal Letters*, Rolls Series, iv., 386).

THOMAS STRICKLAND.

He had an indult to study in 1405 (*Calendar of Papal Letters*, Rolls Series, vi., 192). He died in 1410 (vi., 192).

JOHN BURDET.

He had a provision for the archdeaconry in December, 1410 in consequence of the death of Thomas Styrkland at the Apostolic See (*Calendar of Papal Letters*, Rolls Series, vi., 192).

JOHN KIRKBY.

He held the archdeaconry in 1415, when he received a pardon for the death of Alan Thomson of Hawkesdale (*Patent Rolls*, 3 Henry V., Cal., p. 372). He is named in Bishop Whelpdale's will, proved May 8th, 1422, as "Kirkby quondam Archidiacono" (*Test. Eborac.*, Surtees Society, iii., 67).

ALEXANDER COKK.

He had a dispensation to hold the archdeaconry in 1430 (*Calendar of Papal Letters*, Rolls Series, viii., 163, 324). He is mentioned in the will of Bishop Barrow, who died September, 1429 (*North Country Wills*, Surtees Society, p. 39).

RICHARD HERVY.

He had a dispensation to hold the archdeaconry in 1437 (*Calendar of Papal Letters*, Rolls Series, viii., 657).

STEPHEN CLOSE.

He is named, in the *Compotus* of John Clerke, 1468-69, in the following payment for the bishop:—"Et in solucione magistro Stephano Close Archidiacono

Karliolense nomine tercio partis omnium correctionum actarum tam coram commissario domini quam coram officiali domini in capitulis superius oneratarum quequidam tercia pars de jure pertineret dicto archidiacono per concencionem factam per predecessorum domini. Summa, xls" (*Accounts of Bishops of Carlisle*, MS. Rolls*). He died in 1470; his tomb is in Great Salkeld Church. According to Bishop Nicolson, he was the brother of Bishop Nicholas Close, 1450-52 (*Miscellany Accounts*, p. 123).

HUGH DACRE.

His name appears in a rental of the priory of Wetherhal, dated 1490, in the Dean and Chapter Office. He died in 1509; his will was made November 15th, 1509, and proved January 20th, 1509-10 (*North Country Wills*, Surtees Society, p. 83). See the next name.

CUTHBERT CONYERS.

He was instituted into the living of Great Salkeld, attached to the archdeaconry, in 1509-10, as appears from the *Compotus* of Alexander Dawson, 1509-10, where is the following item:—"De institutione . . . et Magistri Doctoris Conyers ad ecclesiam parochialem de Salkelde, xiiis iiiid;" also "Mortuaria. Et debet xxs de mortuario magistri Hugonis Dacre, viz. unus equus coloris dove deliveratus ad usum domini Karliol. episcopi" (*Accounts of the Bishops of Carlisle*, MS. Rolls).

THOMAS BOURBANK.

At the bottom of the east window in Graystok Church

* These rolls, about 25 in number, are in the Bishop's Registry. They contain some interesting information besides the usual rentals; they belong mainly to the fifteenth century, a period when reliable authority is difficult to procure. The "tercia pars" of the synodals and corrections was in the agreement between Bishop Welton and Archdeacon William de Rothbury (see *Bishop Welton's Register*, foll. 67, 74; *Visitations in the Ancient Diocese*, J. E. Prescott, p. 22).

is the inscription :—"Orate pro Ana Tho. Bourbank quondam Archidiaconi Karl. . . . . Anno Dni Millmo quingenmo Vicesimo" (1520). In this year he must have died.

WILLIAM BOURBANK (or BYRBANKE), LL.D.

He appears as archdeacon April 11th, 1520 (*Letters and Papers*, Henry VIII., vol. iii., No. 741); and on June 19th, 1522 (No. 2333, 12); and February, 1525 (No. 1137, where his seal is mentioned as attached to several documents); also July, 1529 (No. 5791). For an illustration of his seal, see an article by Dr. Wilson in these *Transactions*, o.s., xv., p. 39.

WILLIAM HOLGYLL.

He appears in 1534 as rector of Great Salkeld in the *Valor Ecclesiasticus of Henry VIII.* (ed. Record Com., v., 289). He was one of those who on July 9th, 1540, signed the judgement of the united Convocations as to the nullity of marriage of Anne of Cleves (*Letters and Papers*, Henry VIII., vol. xv., Nos. 860-1).

GEORGE NEVILLE, D.D.

He occurs as archdeacon of Carlisle in a letter from the Earl of Westmorland to Cecil on December 17th, 1558 (*State Papers, Domestic*, Elizabeth, vol. i., No. 36, p. 117). His will is dated September 4th, 1567, and was proved Nov. 4th, 1567 (*Wills, Archdeaconry of Richmond*, Surtees Society, pp. 204, 212).

EDWARD THRELKELD, LL.D.

Collated March 11th, 1567-8 (*Bishops' Registers*, f. 24).

HENRY DETHICK, M.A., LL.B.

Collated October, 1588, mandates being issued to the Dean and Chapter to instal, and for induction into Salkeld "Universis et singulis Rectoribus." He

resigned in 1597 (*Bishops' Registers*, foll. 161, 198). There is an order from him to the churchwardens of Great Salkeld, dated October 8th, 1592 (*Great Salkeld*, A. G. Loftie, p. 88). He was also chancellor.

RICHARD PILKINGTON, M.A.

Collated 1597, resigned 1599 (*Bishops' Registers*, foll. 198, 209).

GILES ROBINSON, D.D.

Collated 1600. He was the brother of Bishop Henry Robinson. He resigned in 1602 (*Bishops' Registers*, foll. 209, 219).

NICHOLAS DEANE, M.A.

Collated 1602 (*Bishops' Registers*, f. 219).

GEORGE WARWICK.

Collated February, 1603-4, and duly installed (*Chapter Minutes*, iii., 200b). He died in 1621.

ROBERT WRIGHT.

He was installed in 1621 (*Chapter Minutes*, vol. v., p. 806). He died in 1622 (*Bishops' Registers*, f. 255).

ISAAC SINGLETON, M.A.

Collated and installed January, 1622-3. He acted as commissioner in 1642 to institute to the living of Irthington; also to Warcoppe in 1643. He died in 1643, and was buried in Crosthwaite Church, of which he had been appointed vicar in 1623 (*Bishops' Registers*, foll. 255, 260, 313, 317; *Dean and Chapter Minutes*, vol. v., p. 831). He was also chancellor.

PETER WENTWORTH, D.D.

He resigned the archdeaconry in 1660 on being appointed to the rectory of Great Haseley, Oxon. (*Patent Rolls*, 12 Charles II., pt. ii., No. 30). See also on Lewis West.

LEWIS WEST, M.A.

He was appointed by letters patent in 1660, *vice* Peter Wentworth, who surrendered the archdeaconry (*Patent Rolls*, 12 Charles II., pt. iii., No. 61). He was the only surviving canon after the Restoration. On December 8th, 1660, he was the proctor for enthroning Bishop Stern (*Register of Bishop Stern*, f. 1); in 1661 he was cited to appear at Convocation (f. 30). He died in 1667 (*Register of Bishop Rainbow*, f. 446).

JOHN PEACHELL, S.T.B.

Collated 1667, resigned 1668 (*Bishops' Registers*, foll. 446, 478).

THOMAS MUSGRAVE, M.A.

Collated 1668-9, resigned 1682 (*Bishops' Registers*, foll. 478, 663).

WILLIAM NICOLSON, M.A.

Collated 1682; promoted bishop of Carlisle, 1702 (*Bishops' Registers*, f. 663).

JOSEPH FISHER, M.A.

Instituted on royal mandate, 1702; he died 1705 (*Bishops' Registers*, foll. 2, 79).

GEORGE FLEMING, M.A.

Collated 1706. He was promoted 1734 to be bishop of Carlisle.

WILLIAM FLEMING, LL.D.

Instituted on royal mandate, 1734-5; he died 1743.

EDMUND LAW, D.D.

Collated 1743; he resigned 1756. He was consecrated bishop of Carlisle in 1769.

VENN EYRE, M.A.

Collated 1756; he died 1777.

JOHN LAW, D.D.

Collated 1777. He was promoted to be bishop of Clonfert 1782.

WILLIAM PALEY, D.D.

Instituted on royal mandate 1782, resigned 1804; he died 1805. He was also chancellor.

CHARLES ANSON, M.A.

Collated 1805; he died 1827.

WILLIAM GOODENOUGH, M.A.

Collated 1827; he died 1855. He was the last archdeacon who was also rector of Great Salkeld.*

WILLIAM JACKSON, D.D.

Collated 1855, he resigned 1863. He was formerly chancellor.

WILLIAM WHITMARSH PHELPS, M.A.

Collated 1863; he died 1867.

SAMUEL PEACH BOUTFLOWER, M.A.

Collated 1867; he died 1883.

JOHN EUSTACE PRESCOTT, D.D.

Collated 1883; also chancellor.

ARCHDEACONS OF WESTMORLAND.

ROBERT WILSON EVANS, B.D.

Collated May 9th, 1856; resigned January 11th, 1865.

JOHN COOPER, M.A.

Collated January 13th, 1865; died 1896.

JOHN WILLIAM DIGGLE, M.A.

Collated August 15th, 1896; resigned January 16th, 1902.

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* See on Richard de Whyteby.

WILLIAM SHERWEN, M.A.
Collated February 19th, 1902.

ARCHDEACONS OF FURNESS.

ARTHUR BAYLEY CROSSE, M.A.
Collated on May 9th, 1884, to the archdeaconry, and the vicarage of St. George, Barrow, recently resigned by Arthur Bayley Crosse; resigned 1893.

THOMPSON PHILLIPS, M.A.
Collated February 17th, 1893; resigned 1901.

CECIL HENRY BOUTFLOWER, M.A.
Collated August 9th, 1901; resigned 1905.

HERBERT ERNEST CAMPBELL, M.A.
Collated June 5th, 1905.

II.—THE OFFICIALS PRINCIPAL, VICARS GENERAL AND CHANCELLORS.

The offices of Official Principal and Vicar General became united and merged in the office of Chancellor. The chancellor would, originally, seem to have been so called from his being placed within the lattice *(cancellum)* or screen, used to cut off a portion of a larger room, for the purpose of greater privacy. The term "chancel" in a church has the same origin.

We only hear of a chancellor in this diocese from the latter part of the sixteenth century. The earliest statute in which the diocesan chancellor appears is in the first year of Elizabeth (cap. 2, sect. 11). He also occurs in the 127th canon of 1604.

The Official principal exercised the ordinary jurisdiction of the bishop in the Consistory Court, hearing causes

between party and party, and, in earlier times, dealing with offences of the clergy, and deciding questions as to marriages and wills.

The vicar general dealt with spiritual affairs, under the authority of the bishop, and generally such as were named in his patent.

Officials of Carlisle.

Thomas de Thorp.

He is witness as Official to a confirmation of Archdeacon Peter de Ros, in the *Register of Wetherhal* (p. 216), during a vacancy in the See about 1190.

Alexander de Lucy.

Letters patent were directed to him as Official in 1203 in regard to the presentation of Richard Pickering to the church of Dalston (*Patent Rolls*, Record Com., ed. Hardy, 5 John, p. 30b).

Alexander de Dacre.

He is witness as Official to the deed of appropriation of the church of Kirkandres to the nuns of Marrig by Bishop Bernard, 1204-14 (*Collectanea Topographica et Genealogica*, ed. Sir F. Madden et al., vol. v., p. 235). He is also witness to a grant of the church of Bridekirke to the canons of Gyseburne about 1210 by Aeliz de Rumelyth, in the *Chartulary of Gyseburne* (Surtees Society, ii., 319).

Richard de Marisco.

He is witness with John, prior of Carlisle, to a charter of Bishop Bernard (1204-1214) concerning the churches of the priory of Lanercost; also a witness to a confirmation of the same by the prior and convent of Carlisle (*Register of Lanercost*, viii., 7, 8).

Adam de Kirkeby.

He is witness to a confirmation of Hugh, bishop of

Carlisle, dated October, 1220, in the *Register of Wetherhal* (p. 52); also a witness with John, prior of Carlisle, to a charter of Richard, son of Richard, son of Trute (No. 94, p. 176). He appears in the *Register of Lanercost* as a witness with John, prior of Carlisle, to a confirmation of Americ, archdeacon of Carlisle (viii., 2). He is witness with Bartholomew, prior of Carlisle, to a confirmation by Hugh, bishop of Carlisle, 1218-1223 (viii., 7); also to an Act of Bartholomew and the convent of Carlisle confirming the above (viii., 8). About 1220, he was a party to the division of property between the bishopric and priory (see *Inspeximus, Charter Rolls*, 18 Edward I., No. 26).

ADAM (called) DE CROSTHWAITE.

As vicar of Crosthwaite and Official he appears in the institution of the abbot and monks of Fountains into the church of Crosthwaite by Bishop Hugh, 1218-1223 (*Chartulary of Fountains*, Cotton MSS., Tiberius, C. xii., f. 325a).

[It is open to question whether this Adam de Crosthwaite is not identical with Adam de Kirkeby above].

GERVASE DE LOUTHER.

He was an arbiter between the monks of Wetherhal and Robert, son of William de Corkeby, concerning the fishery there, between 1225 and 1230 (*Register of Wetherhal*, pp. 13 and 56). He is a witness with Bartholomew, prior of Carlisle, to a charter of H. de Thebay between 1223 and 1229 (p. 174). He was afterwards archdeacon.

T. WERRI.

He is witness as Official, with G. de Louther as archdeacon, to a charter of Robert, son of William de Corkeby, about 1229, in the *Register of Wetherhal* (p. 119, where see also the reference to the *Register of Lanercost*).

WALTER DE ULVESBY.

He is witness as official to a composition between the abbot of St. Mary's, York, and the lords of Warthwick concerning the marsh of Wetherhal, Thomas, son of John, being sheriff (in 1230 or 1231); Bartholomew, prior, and G. de Louthir, archdeacon, seal the document (*Register of Wetherhal*, p. 124). Also, he is witness with William de Daker, sheriff (1236-1247), to a charter of Robert de Robertby, where he is styled "parson of Ulvesby then official" (p. 254; see also pp. 205, 227). He appears as official in the *Register of Lanercost* (ii., 21) as a witness to a charter of Roland de Vallibus, with Walter, bishop, and Radulph, prior of Carlisle, between 1231 and 1239. He was also archdeacon.

PETER LEGAT.

He is witness with Walter, archdeacon, to a charter of William de Croglin about 1240, in the *Register of Lanercost* (vi., 21). He is party to the final division of property between the bishopric and priory, September 2nd, 1249 (see *Inspeximus, Charter Rolls*, 18 Edward I., No. 26).

ADAM DE CROFTON.

As "Official of Carlisle," he is witness to a deed of Thomas, son of Thomas de Multon, to the abbey of Holm Cultram between 1240 and 1247, with Walter de Ulvesby, archdeacon, and William de Dakre, sheriff (*Register of Holm Cultram*, f. 22).

RICHARD.

He appears as parson of Wardcope and Official in 1251 in the grant of the vicarage of Crosthwaite by the abbey of Fountains to Silvester, bishop of Carlisle (*Chartulary of Fountains*, Cotton MSS., Tiberius, C. xii., f. 327).

PAT'(RICIUS).

He is rector of Skelton and Official, giving a decision on the division between the parishes of Cambok and Lanercost, dated 1259 (*Register of Lanercost*, xv., 18).

WILLIAM DE FRESELLE.

He appears in 1262 as "olim Official" in an instrument concerning the church of Crosseby Raveneswathe in the *Chartulary of Whitby* (Surtees Society, i., 284).

THOMAS.

He pronounces a sentence against William de Laversdale, dated September, 1269 (*Register of Lanercost*, xiv., 15; see also v. 4).

It is possible that this Thomas, Official, is the same as the Thomas de Capella who is spoken of in strong terms as Official by William Prynne in his *Chron. Vindiciæ*, iii., 485 (quoted by Bishop Nicolson, MSS., ii., 322), under date 1291. He is often mentioned in the *Episcopal Registers*, not as "Official." But see the article by Mr. F. H. M. Parker in this volume, pp. 24, 25.

THOMAS DE BARNEBY.

He is mentioned as "Official of the bishop of Carlisle" in the *Register of Archbishop John Romanus*, under date June 15th, 1286, in a royal mandate ordering the archbishop to summon him to answer at York for a breach of the forest laws.

JOHN DE BOWIS.

As "Official of the Lord Bishop," he was concerned in a dispute between Bishop Halton and Robert de Keldesik, abbot of Holm Cultram, concerning a tenement in Neuby, in 1294 (Harleian MS., 3891, of *Register of Holm Cultram*, f. 76b).

ADAM DE APPELBY.

The patent appointing him Official is signed on November 26th, at St. Simphorianus near Vienna, dated "in crastino beate Virginis Katerine, Anno Dni, 1311" (*Register of Bishop Halton*, f. 142).

ROBERT DE SUTHAYKE.

His patent, signed in 1341, is given in the *Register of Bishop Kirkby* (f. 424). He appears to have been Official also at an earlier date (see on Thomas de Halghton, vicar general).

NICHOLAS DE WHITEBY.

He publishes a sentence of divorce in December, 1354 (*Register of Bishop Welton*, f. 14).

ADAM DE CALDBEK.

His patent is dated March 10th, 1355 (*Register of Bishop Welton*, f. 16). He appears as late Official and conjoint Vicar General in 1363 (*Register of Bishop Appleby*, f. 141).

JOHN DE APPLEBY.

He resigned the office of Official on May 18th, 1364 (*Register of Bishop Appleby*, f. 143). He was then collated archdeacon.

WILLIAM BOWNESS.

He is named as Official in a commission issued by Bishop Appleby to inquire into the value of the living of Graystok in 1377, with a view of its being made a collegiate church (*Register of Bishop Appleby*, f. 306).

WILLIAM DEL HALL.

As "Official of Carlisle," he was in 1379 collated to the rectory of Caldbeck (*Register of Bishop Appleby*, f. 315).

ADAM DE BOLTON.

As "Official of Carlisle," he was appointed May 18th, 1393, a commissioner to visit the hospital of St. Nicholas, Carlisle, in place of Thomas, archbishop of York (*Patent Rolls*, 16 Richard II., Cal., p. 294).

THOMAS OUDS.

He is named on a brass upon a gravestone in Great Musgrave Church as "quondam rector. . . . Dnorum Epi et Archidiaconi Carliol. Official," but without date (Bishop Nicolson, *Miscellany Accounts*, p. 46). He may be the same as Thomas Overde below.

THOMAS OVERDE.

He appears in the *Compotus* of John Clerke, dated 1468-9, giving an amount of £13 6s. 8d. paid to the bishop "per manum Magistri Thomas Overde (or Ouds)* Officialis Domini xv die Novembris 8 Edw. IV" (*Bishops' Accounts*, MS. Rolls).

JOHN WHELPDALE.

Two inscriptions, copied by Bishop Nicolson, shew that he was rector of Caldbek and of Greystok and Official, and that he died in 1526 (*Miscellany Accounts*, pp. 94, 132). He is given by S. Jefferson (*Carlisle*, p. 257), but without reference, as Official in 1498.

VICARS GENERAL.

WILLIAM DE GOSEFORD and the prior of Carlisle (ROBERT DE HELPSTON).

The patent is signed on November 7th, 1311, at St. Simphorianus near Vienna (*Register of Bishop Halton*, f. 142).

ADAM DE APPLEBY.

The patent is signed on July 4th, 1314 (*Register of Bishop Halton*, f. 173).

* In the MS. Roll the name is somewhat doubtful.

THOMAS DE HALGHTON.

A commission was issued to him as Vicar General and to Robert Suthayke as Official to inquire as to the right of patronage of the church of Crogelyn, dated at Melburn, January 5th, 1335 (*Register of Bishop Kirkby*, f. 318).

The abbot of Holm Cultram (ROBERT DE SOUTHAYKE).

The patent was issued in 1353 (*Register of Bishop Welton*, f. 1). He is mentioned as abbot in 1351 and 1359 (see *Register of Holm Cultram*, f. 57, and *Papal Letters*, Rolls Series, iii., 453).

The prior of Carlisle (JOHN DE HORNCASTRE), JOHN DE APPLEBY, rector of Kirkoswald, and ADAM DE CALDBEK, Official.

The patent was issued August 13th, 1363, to the three, "joyntly and severally" to execute the office of Vicar General (*Register of Bishop Appleby*, f. 141). There is a similar patent in 1371 (f. 211).

RICHARD PYTTES.

He appears as Vicar General in an appeal against him to the Pope by the abbot of Shap in 1397 (Nicolson and Burn, ii., 306).

VICARS GENERAL, OFFICIALS PRINCIPAL, AND CHANCELLORS.

BERNARD TOWNELEY.

He was concerned in the rising in the North in 1536, and is spoken of as "late Chancellor of the Bishop of Carlisle" in a letter of Henry VIII. to the Duke of Norfolk in February, 1537, and again in a letter of Norfolk to Cromwell later in the year (see *Letters and Papers*, Henry VIII., vol. xii., pt. i., pp. 226, 227). He appears to have been kept in the Tower for eight months, at a charge of 5s. a month for maintenance (pt. ii., p. 59).

NICHOLAS WILLIAMSON.

In an indenture dated March 31st, 1544, "in the presence of Syr Nycolas Willyson, Chancellour to the the Busshop of Carlisle," Sir John Lowther, sheriff, received a certain amount of subsidy (*Clerical Subsidies*, Carlisle, 60/17a). He was an arbitrator as "Official" with others in a case between Hugh Machel and the widow of Thomas Roos in 1543 (Nicolson and Burn, ii., 306).

HENRY DETHICK.

He is given by Nicolson and Burn (ii., 306) as having been made chancellor in 1552 by Bishop Aldridge; also given by Le Neve (*Fasti Ecclesiæ*, but without reference to authority). But see below on the name.

THOMAS TOOKIE, LL.B.

He was present as Official Principal on May 2nd, 1564, when Gregory Scott was installed in the third canonry of the Cathedral (*Bishops' Registers*, f. 14). He himself became a canon in 1568.

GREGORY SCOTT.

The patent granted to him as Vicar General and Official Principal is given in full in the Bishops' Registers (f. 31), and dated August, 1570 (see also Nicolson MSS., iii., f. 230).

THOMAS BURTON, LL.B.

He was appointed in 1576 on the death of Gregory Scott (*Bishops' Registers*, f. 72 seq.).

THOMAS HAMOND, L.C.B.

He was appointed by Bishop Meye on December 1st, 1577; in 1585 he, as chancellor, under a grant from the bishop, presented Thomas Fairfax to the church of Caldbeck (*Bishops' Registers*, foll. 91, 137). He is

named as chancellor in a letter of Lord Scrope and the Bishop of Carlisle to Secretary Walsingham, February 1st, 1584 (*State Papers, Elizabeth, Add.*, xxviii., p. 105).

HENRY DETHICK, LL.B., M.A.

The offices of Chancellor, Vicar General, and Official Principal were granted to him on February 17th, 1586 (*Bishops' Registers*, p. 151). The patent was confirmed by the Dean and Chapter (*Chapter Minutes*, iii., 68b). He resigned in 1588, when he was made archdeacon, and, having resigned that office in 1597, he was again appointed chancellor (*Registers*, foll. 161, 198, 200). A presentment by churchwardens, signed by him as chancellor, of recusants residing in the several parishes, is dated January, 1597-8 (*Calendar of State Papers, Dom. Elizabeth*, cclxii., p. 354). As chancellor of Carlisle, he was named one of the Queen's Commissioners for the suppression of heresies in the province of York (Rymer, *Fœdera*, xvi., 385). He presided as chancellor at a Synod as late as 1606.

HENRY WOODWARD.

He is stated to be mentioned as chancellor in 1615 in a dispute regarding the school at Keswick (Nicolson and Burn, ii., 307).

ISAAC SINGLETON, M.A.

He was appointed in 1622, and was also archdeacon (*Bishops' Registers*, foll. 255, 317). He gave institution to Warcoppe in November, 1643.

ROBERT LOWTHER.

He is mentioned in 1661, in the mandate of Bishop Stern for the election of proctors for convocation (*Register of Bishop Stern*, f. 31). On his seal, see these *Transactions*, o.s., viii., 169.

HENRY MARSHALL.

He was appointed chancellor on the resignation of Robert Lowther, who was in prison, in 1666 (*Register of Bishop Rainbow*, foll. 405, 443; *Dean and Chapter Minutes*, viii., 350). He is said to have been murdered on his doorstep the next year when vicar of Stanwix.

ROLAND NICHOLS, S.T.P.

His patent was dated May 31st, 1667 (*Register of Bishop Rainbow*, f. 443; *Dean and Chapter Minutes*, viii., 456).

THOMAS TULLIE, A.M.

His patent is dated November 8th, 1683 (*Register of Bishop Rainbow*, f. 688). He was made dean in 1716.

JOHN WAUGH, M.A.

He was appointed by Bishop Waugh in 1727; he became dean of Worcester in 1751, and died in 1765. He is buried in the south aisle of Carlisle Cathedral.

RICHARD BURN, LL.D.

He was appointed in 1765. He was the author of *The Ecclesiastical Law*, and joint author with Joseph Nicolson of *The History and Antiquities of Westmorland and Cumberland*. He died in 1785.

WILLIAM PALEY, D.D.

He was appointed in 1785; he resigned in 1795. He was also archdeacon from 1782 to 1804.

JOSEPH DACRE CARLYLE, B.D.

He was appointed in 1795; he died in 1804.

BROWNE GRISEDALE, D.D.

He was appointed in 1804.

WALTER FLETCHER, M.A.

He was appointed in 1814.

WILLIAM JACKSON, D.D.

He was appointed in 1846; he resigned on being made archdeacon in 1855.

CHARLES JAMES BURTON, M.A.

He was appointed in 1855.

RICHARD SAUL FERGUSON, M.A., LL.M.

He was appointed in 1887.

JOHN EUSTACE PRESCOTT, D.D.

He was appointed in 1900.

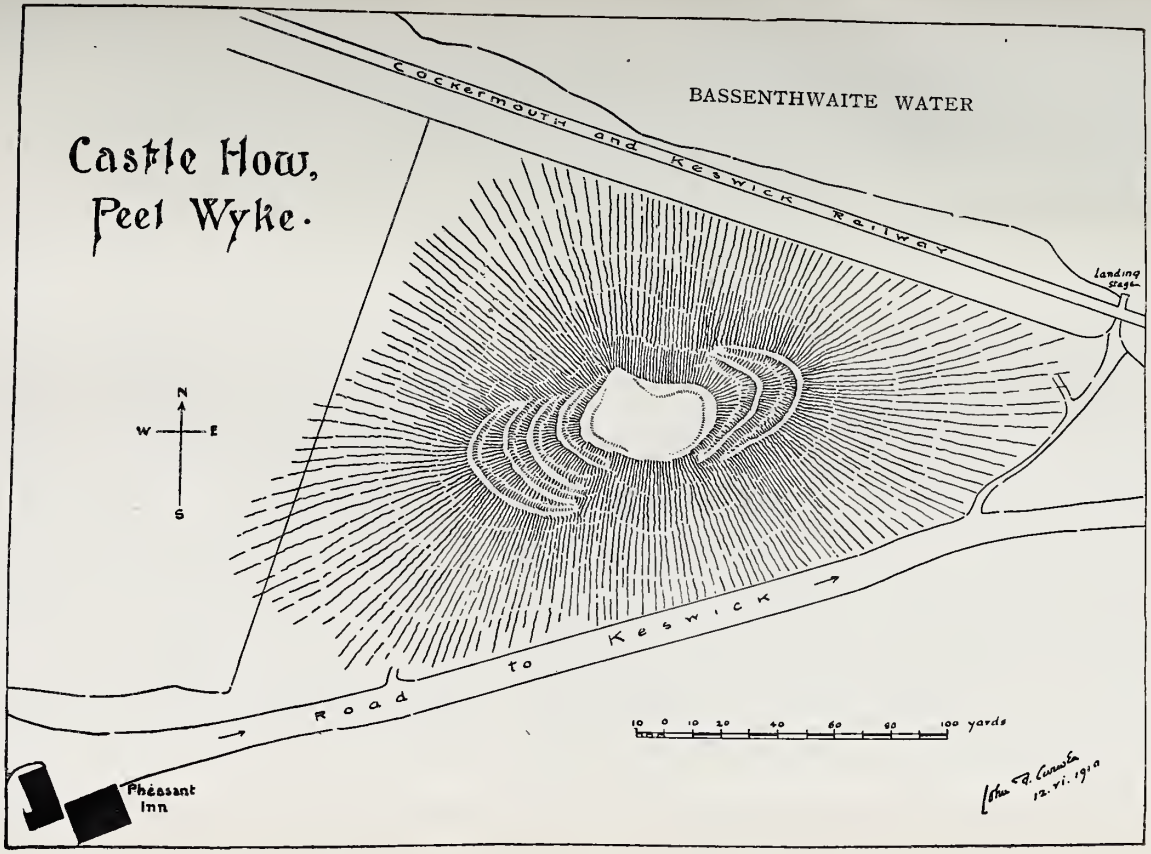
ART. VI.—*Castle How, Peel Wyke.* By JOHN F. CURWEN, F.S.A., F.R.I.B.A.

Read at the Site, July 8th, 1910.

THIS is one of the promontory or spur strongholds of the post-Roman period, at a time when, no longer tied to the irregular contours of the higher ground, experience taught the people that a circular entrenchment —especially when raised upon the top of a ridge or natural rock—was both the simplest and most economical form. The square form which they had been compelled to build for the Romans was too costly for them. For a circular camp of precisely the same area as a square camp is enclosed by a defensive line of about one-third less in length, and this must have been a consideration both as regards labour in construction, and as requiring fewer men to defend it.

These promontory strengths are all alike in relying for defence chiefly upon the natural features of their position. That part of them which is artificial is always subsidiary to that which is natural. Indeed, the less labour required to supplement the "strength" of the natural rock, the more nearly such a fortress approached the ideal.

There is one distinctive feature about them which is remarkable, and that is the entire absence of any containing wall which might safeguard the cattle. Now, since man never voluntarily abandons his possessions, this characteristic suggests at once that either such forts were not intended for permanent occupation, but were rather places of refuge for those who had lost their only form of wealth, or else that they were the work of an earlier people who possessed no weapon for hurling missiles stronger than the sling, a weapon which would be utterly useless to defend an enclosure at the foot of the hill.


Castle How,
Peel Wyke.
BASSENTHWAITE WATER
Cockermouth and Keswick Railway
landing stage
N
W
E
S
Road to Keswick
10 0 10 20 40 60 80 100 yards
Pheasant Inn

We must be very careful, therefore, not to confound these fortified hills with the subsequent Norman mote-hills, for this earlier type never had baileys or outer wards attached to them, they were never surrounded by an artificial ditch at their base, as we invariably find in the Norman type, and lastly they were not intended to be castles for the residence of some one great family. They were simply places of refuge to which the isolated Britons could retire, and readily defend for a day or two, in time of danger.

Now if we examine this "strength" in particular we find a natural ridge of rock like many another of those that bound the margin of Bassenthwaite Lake. No labour was necessary to supplement the strength of the two sides, for nature had scarped them steep enough; but the two ends, as they slope more gently down, needed artificial help. Hence, on the end toward the village, we find four clearly defined crescent-shaped trenches dug out with the earth thrown up on the outside of each to form a breastwork. The other end, being rather more steep, has only needed two.

The summit of the hill stands 135 feet above the level of the lake, which is itself 223 feet above the level of the sea. The plateau, which measures 42 yards by 20 yards (Tower Tye is 50 yards in diameter and Hayton Castle-hill is 40 yards in diameter) is dished out, so that all round the edge the rock crops up to form as it were a sort of breastwork with perhaps the additional help of an oaken palisade. There is no evidence of any masonry and naturally, as the fort was only used for temporary occupation, we find no mention of any bones, pottery or other remains having been discovered here.

Art. VII.—*Isel Hall.* By John F. Curwen, F.S.A., F.R.I.B.A.

Read at the Site, July 8th, 1910.

Historical.

THE history of Isel begins with a grant made by Alan, the son of Waltheof, temp. Henry II., to Randulph Engayne of the demesnes of Ishall, Redmain and Blencrake. Randulph's grand-daughter and heiress, Ada, married Simon de Morville, whose son Hugh left two daughters as coheirs, Ada and Joan. Isel fell to the elder sister's share, and within two years after her father's death she married Richard de Lucy, to whom, however, she had no male issue. Secondly she married Thomas de Multon, to whom she had a son and heir, Thomas. This Thomas, junior, in the reign of Henry III., entailed Isel and Blencrake on his two younger sons, Edward and Hubert. From an extract in the *Patent Rolls*, quoted further on, it would appear that at first Edward or Edmond enjoyed Isel, but whether by his death or otherwise it is certain that ultimately a Hubert* came into possession. He bore for his arms azure, two bars argent.

Hubert Multon enjoyed Isel for his lifetime, after which his son William entered into the entail, who left an only daughter, Margaret. Margaret married Sir William de Leigh and this brought Isel to this family, for a period of over 250 years. Leigh assumed the arms of his wife with the addition of a bend counter-compony or and gules. During her widowhood, in the year 1360, Margaret received a licence from Bishop Welton † for a chaplain in her oratory at Isel (Nicolson and Burn, ii., 3).

* All authorities speak of this Hubert as if he were the younger brother, but it is quite possible that he may have been the son of Edward.

† Gilbert Welton was bishop of Carlisle from 1352 to 1362.

In the year 1499, one Robert Leigh of Isel assisted Elizabeth Dykes to prosecute an appeal against Sir Thomas Curwen of Workington, Christopher his son, Thomas Curwen of Camerton, Sir Roger Bellingham, William Hudleston, and others for the murder of her husband, Alexander Dykes. An award was made by Richard Redmain, bishop of Exeter; Master Christopher Urswyk, archdeacon of Richmond; Edward Redman, and Sir Thomas Dykes, that whereas the said parties were nigh of blood the said Elizabeth should no longer sue her appeal, but that the said Sir Thomas Curwen and his partakers shall shew themselves meekly sorry for his death, and shall pay to the said Elizabeth four score pounds of lawful money, and further find one honest priest to sing for the soul of the said Alexander, in the church of Isel, by the space of two years, paying yearly for his salary seven marks of lawful money, &c.

In the year 1509 we find Sir Edward Redmain in possession of Isel, having married, in 1485, the lady Elizabeth, widow of Sir — Leigh, and daughter of Sir John Hudleston of Millom. Elizabeth survived Redmain some nineteen years, dying in 1529, leaving Isel to Sir John Leigh. We find a grant of confirmation of the estates to him in the *Patent Rolls* for 1530 as follows :—

Thomas filius Thomæ de Multon concessit Edmundo filio suo in feodo talliato manerium de Ishall et terras in Blencrayke. Rex Henricus 3us concessionem confirmavit. Rex Henricus 8vus etiam confirmat pro Johanne Legh, armigero (*Patent Rolls*, 21 Henry VIII., p. 1, m. 5, Nov. 11).

In 1544 John Leigh held the manor of Isel and Blencrake of the king by the service of one knight's fee and the cornage of 46s. 8d.

Thomas Leigh, the last of the name, gave Isel to his second wife, Maud Redmain, who afterwards married for her third husband Sir Wilfred Lawson (he died 1632), and as frankly conveyed over the inheritance to him as

she had received it of Leigh. The story is quaintly told by Edmund Sandford as follows:—

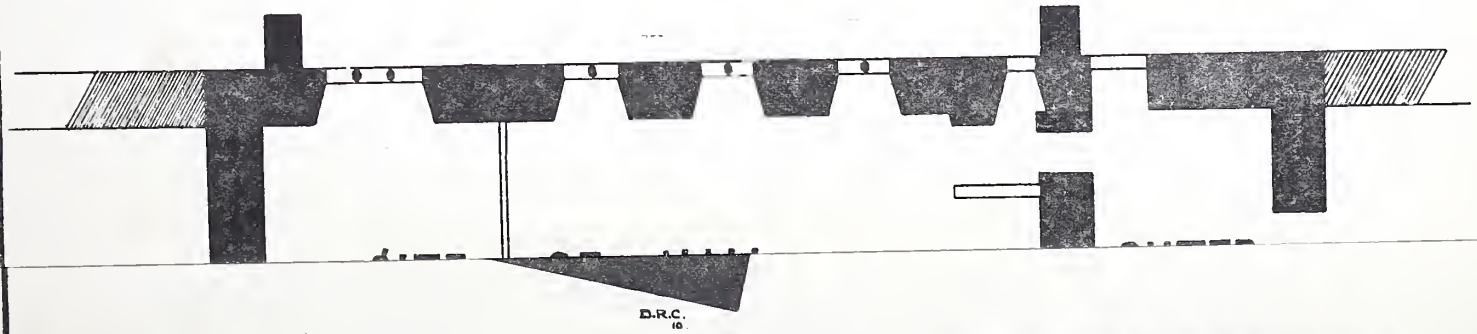
Isill Hall once the ceite of an ancient gentile familye of the Leighs: the last whereof maried the ffair Matilda Redmain: the widowe of the Noble Squire Ireton of Ireton Tower. And on this mariag, the said Mr Leigh mad this Isell to himself and this Matilde his wife, and the longer liver of them, and their heires: And she survyving Mr Leigh married Sir Wilfrid Lawson, Grand Steward of the Earle of Northumberland of all his lands in Cumberland: And she likewise made over this Isill and all belonging therto To her said husband and the longer liver of them; and their heires: And her husband survyving It came To the now Sir Wilfrid Lawson who married the daughter (Jane) of Sir Edward Musgrave of Haiton Castle who now Injoyes this ancien ceite of Isell and Blencrake a great village a little above it northward.

Descriptive.

Margaret Multon's private oratory, referred to above, does not of necessity mean that it was situated in this tower. Rather must we suppose it to have been in an earlier structure, which perhaps was burned and destroyed, 27 years later, when the Scots, under the banners of the dukes of Douglas and Fife, made their sudden raid upon Cockermouth, captured the castle, and from thence sent out raiding parties to burn all the country round about. That was in the year 1387, and it is not likely that a knight's tower, within an hour's march, would be left unmolested.

Unfortunately we have no authentic account of the erection of this pele, neither the date when the owner received licence to crenellate it. But then it must be remembered that the Lord Warden of the Marches had the privilege of granting these licences as well as the Crown, and it is no doubt owing to our having no published records of those issued by the wardens that our list of licences is so incomplete. Now, if we exclude the windows which are evident insertions, there is only one architectural feature that can give us any clue to the date. It is a Carnarvon-arched doorway, and to be found in that

ISEL · HALL



TO FACE P. 125.

part of the tower which is usually the least altered—*i.e.*, the basement. It is, however, a somewhat wide doorway, so that I am rather inclined to look upon it as a late example of this feature, and accordingly to place the date of the tower to the early part of the fifteenth century. I am strengthened in this opinion by noticing that the loop in the inner basement is also much wider than we generally find them in the fourteenth century towers.

As to the site, I think that you will agree with me that it is an interesting one, indeed almost unique, in that we find the tower situated upon the *north* bank of the river Derwent. Such a position, at first sight, seems to be contrary to all precedent, for whenever there was a stream in the vicinity we invariably find an English pele tower placed upon the southern bank, so as to interpose the river between it and the northern enemy. But on making research into the early geographical features of the district, it will be found that there existed an impenetrable forest between Isel, Uldale, and Wigton, and that there was no road through this vast tract of land by which the Scots could descend. Their only way would be by the old Roman road from Carlisle *via* Wigton to Cockermouth, or else by galleys from Dumfries to Allonby or Flimby, and thence up the valley of the Derwent. Isel, therefore, could only be reached from the south, and in view of this fact it will be seen that the hall is placed as it should be, with the river interposed between it and the enemy.

The site, moreover, is further protected from small raiding parties by a woodland beck which flows rapidly round the north and west sides. It is called the Bloomer Beck, an interesting name, which forcibly tells us that here stood an iron charcoal-smelting forge or "bloomery" for the making of armour and weapons.

The tower consists of the customary vaulted basement and three stories over. It is of the oblong type and of medium size, measuring externally 43 by 25½ feet, the longer axis being north and south. Here again we have

rather a unique feature, for out of the whole number of pele towers within our district I can only find two others, those at Yanwath and Newbiggin, where the axis is not approximately east and west.

The masonry is of freestone rubble, with red sandstone dressings to the sixteenth century windows. There is no plinth or offset of any kind, but, as is usual, the parapet slightly projects beyond the face of the wall. The height is 43 feet, and the walls are six feet in thickness.

Unfortunately, when building the adjoining hall, the south wall of the tower must have been taken down, so that we are unable now to trace the original entrance. It was probably at the south-east corner where in the basement can still be seen the hollow curve of the newel staircase. The basement is barrel vaulted, and divided by a cross wall, in which is the before mentioned Carnarvon-arched doorway.

The upper floors do not call for much notice. The windows are clearly insertions, and, with the exception of an earlier double-light window with segmental head on the third floor, they are wide, double-chamfered, and placed beneath square sixteenth century labels. The newel stairway which communicated with the rooms stopped at the second floor level, and I am confirmed in my opinion as to its having been situated in the south-east corner by the fact that from this corner a straight mural staircase leads up in the thickness of the east wall to the third floor, and from thence to a doorway on to the battlements at the north-east corner. In the north wall of the third floor there is a good specimen of a garderobe lighted by a loop.

Now when the time came, in the early sixteenth century, for greater luxury and space the owner built, a few feet away from the tower, a banquetting hall looking toward the south, together with a new entrance hall and bedrooms over. After pulling down the awkward newel staircase and reducing the thickness of the tower wall, he

blocked the ancient entrance by raising a new wide staircase in the intervening space.

This magnificent banquetting hall occupied the space of the present dining room, smoke room, and passage, and measured 40 by 24 feet; similar in size to the great hall at Yanwath, and just two feet wider than the renowned hall at Levens. A huge ingle nook occupied the western end of the room, and added an extra five feet to its length; whilst at the other end, where there is now a recessed window, can be seen a rough stone opening where, I am told, a second fireplace previously existed. The ceiling is spanned by four very wide and richly moulded beams, and laid across these smaller moulded ribs support the floor above.

I would call your particular attention to the beautiful Tudor panelling in this block of rooms. Over the doorway of the present smoke room are the Lawson arms, inlaid, whilst all the adjoining panels have been ornamented in colour with different devices and figures. In the sitting room immediately above, the Lawson arms again appear in inlaid wood over the mantel-piece, with the initials "W.L." and "M.L.," and surrounded by ten other panels of figure subjects, whilst close beside the door and beneath a cupboard there are twelve more panels treated in the same way. Sir Wilfrid Lawson informs me that when he came into possession, the whole of this panelling was covered over with a coat of paint, and that when he had this removed all these figure subjects were revealed in perfectly fresh colouring. And yet, for the sad truth must be told, in one night the air had such an effect upon the pigments that by morning most of the colouring had disappeared.

Similar panelling adds considerably to the beauty of the fine drawing room, and in the dining room below there are some large panels of the linen-fold design.

The armorial tablet, high up over the front door, is so weathered as to be undecipherable from the ground.

Subsequently—*i.e.*, during the late Elizabethan or Jacobean period—another range of building was erected in the same plane, and making an imposing frontage to the court of 42 yards parallel to the river. In this wing we find the ridge of the roof lower, the level of the floors different, and the windows set regularly in three tiers without transomes.

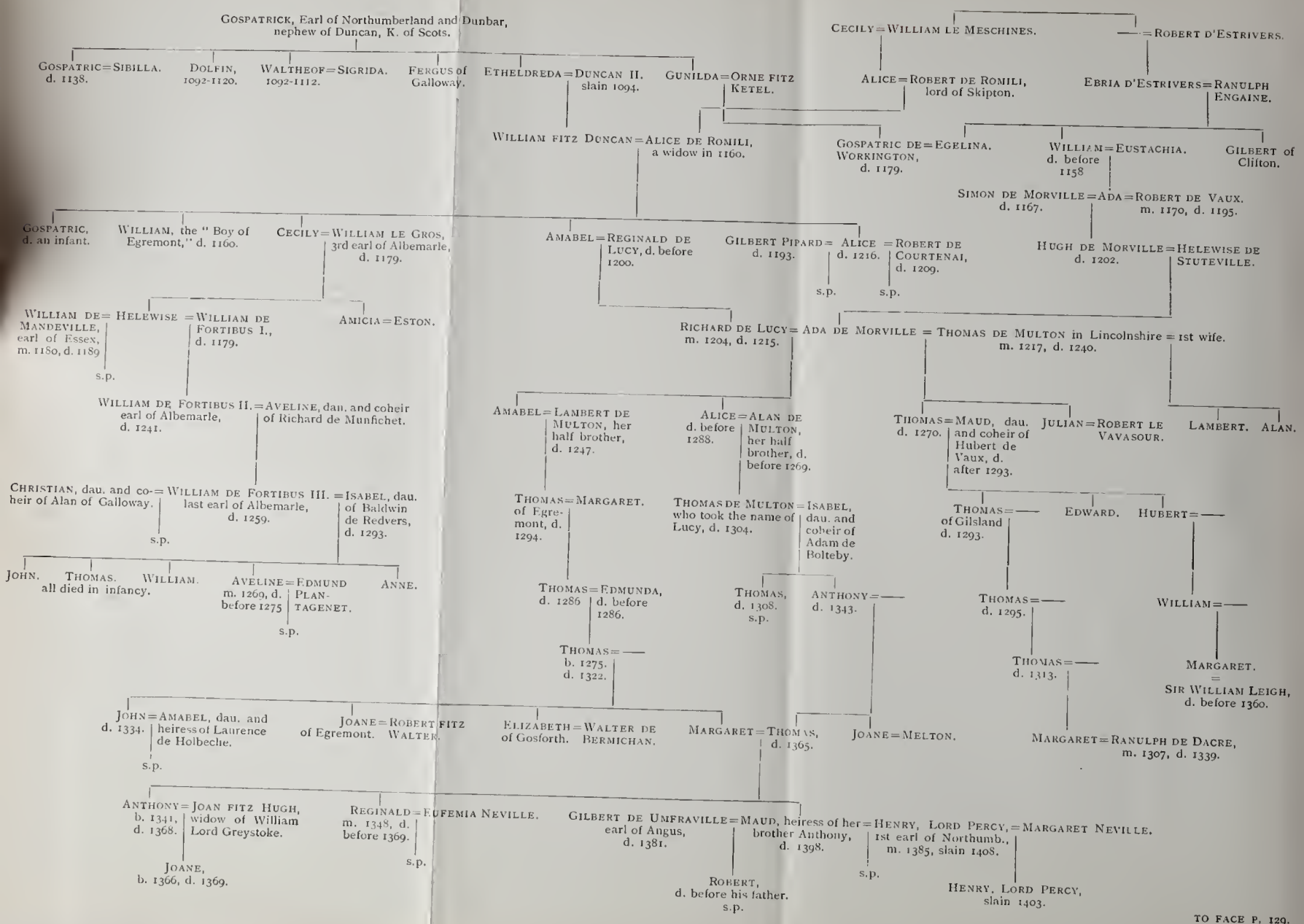
There is one peculiar feature on the façade of the whole which calls for attention. The line of the eaves is broken at regular intervals by a form of ornament superimposed upon the top of the wall, and of which I can only find a parallel example at Hardwick Hall in Derbyshire. The principal ornament consists of an open arched rib with the feet sunk slightly down below the eaves, but which rises up clear above the slates, being surmounted on the crown by a terminal. At intermediate distances somewhat smaller ones occur, but in these the arch is not pierced, neither do the feet penetrate into the wall.

Belonging to the hall, but now in the kitchen, there are two characteristic dining tables of late Elizabethan work with massive frames, and the tops in one piece of solid oak, measuring 10 feet 9 inches by 2 feet wide.

Many further additions have been made to the house to increase its comfort, and in one of these, on the south side, two early armorial tablets have been built in. That coat within the Tudor-arched label, and beneath the initials "I.R.," I take to belong to a branch of the Redmains—namely, a bend counter-compony or and gules between two lions rampant guardant. There is, however, the appearance of a bar in the dexter chief, as if the sculptor had endeavoured to also represent the argent bars of Leigh.

The other coat stands for Lawson—namely, per pale argent and sable a chevron counter-changed, impaling a coat of roundels.

Pedigree showing the descent of the owners of Cockermouth Castle.



TO FACE P. 129.

ART. VIII.—*Cockermouth Castle.* By JOHN F. CURWEN, F.S.A., F.R.I.B.A.

Read at the Site, July 7th, 1910.

THERE is no evidence that either the Briton, Roman, or Teuton availed themselves of this site.

Waltheof, the third son of Earl Gospatric, married Sigrida (*Guisborough Chartulary*, Surtees Society, ii., 318, 319), and succeeded his father in the barony of Allerdale-below-Derwent. He received also from William le Meschin, lord of Coupland, the whole territory in "Kokyr et Derwynt," along with the five towns of "Brigham, Egglesfield, Dene, Graysothen, Bramwhayt et duo Clifton et Stainburn," which completed his command of the whole valley of the Derwent. After a while these estates were settled upon his nephew William fitz Duncan, the son of his sister Etheldreda.

Meanwhile the neighbouring barony of Coupland, which lay between the Derwent and the Duddon, had fallen to Alice, the daughter and heiress of William le Meschin, who married Robert de Romili, lord of Skipton. Their daughter and heiress, Alice, became the wife of William fitz Duncan, so that for a short time these baronies were united.

Fitz Duncan's son, William, celebrated in tradition as the "Boy of Egremond," succeeded to these enormous territorial demesnes until the catastrophe in the torrent of Wharfe, *circa* 1160; they were then divided among his three sisters—Cecily, Amabel, and Alice. In the division that took place, the youngest sister received for her share the lordship of Allerdale-below-Derwent with the five towns already mentioned. At first the ward of Gilbert Pipard, she subsequently became his wife. Gilbert Pipard was sheriff of Lancaster and justice itinerant in Herefordshire in 1189.

In 1192 he held the forest of Allerdale of the Crown at the yearly rent of three marks (*Pipe Rolls*, 3 Richard I., Roll 5, mem. 1), and it is thought that he erected Pipard or Pap Castle on the site of the old Roman station, where stone was convenient and the position secure. Pipard died in 1193, and Alice seems to have immediately married Robert de Courtenai (*Pipe Rolls*, 2 John, Roll 17, m. 2). Robert de Courtenai was sheriff of Cumberland 1203-1204, and in the latter year was assessed to the scutage of 20 marks for the barony which had been Gilbert Pipard's (*Pipe Rolls*, 6 John, Roll 11, m. 1). He died in 1209, and the Pipe Rolls for that year record that Alice paid to King John a fine of £500, ten palfreys, and ten oxen to have liberty of the lands of her own inheritance, to have a reasonable dower assured to her out of the lands of both husbands, and that she might not be compelled to marry again. She died in 1216 childless, when the greater part of her inheritance passed to her eldest sister Cecily (*Close Rolls*, 17 John, m. 6).

Cecily carried the great barony of Skipton as her portion to her husband William le Gros, earl of Albemarle. Their only daughter, Helewise, married successively William de Mandeville,* William de Fortibus I., and Baldwin de Bethune, earl of the Isle of Wight, by the second of whom only did she leave a son.

William Jackson (in these *Transactions*, o.s., iv.) draws particular attention to the fact that King John ordered the sheriff of Cumberland, in the year 1215, to deliver up to William de Fortibus II. the *manor* of Cockermouth with its appurtenances (*Rotuli Literarum Clausarum*, i., 191; *Close Rolls*, 17 John, m. 6). There is no mention of any castle, yet six years later—*i.e.*, in the year 1221—Henry III. commanded the sheriff of Westmorland that "without any delay he should summon the earls, barons, knights, and freeholders of his bailliwick, and that they

* William de Mandeville, Magna Villa, was count of Aumâle. He succeeded his brother as earl of Essex in 1167, and died without issue in 1189.

should hasten to Cockermouth to besiege the castle there, and when they had taken the same, should destroy it, to its very foundations" (*Rotuli Literarum Clausarum*, i., 474b). William de Fortibus had declined to open Rockingham and other castles to King Henry, and had subsequently broken out into rebellion, so that this somewhat furious order was of natural sequence. Jackson comments on this by saying :—" I will not go so far as to say that this proves the castle was erected in the interim, yet it is worthy of note."

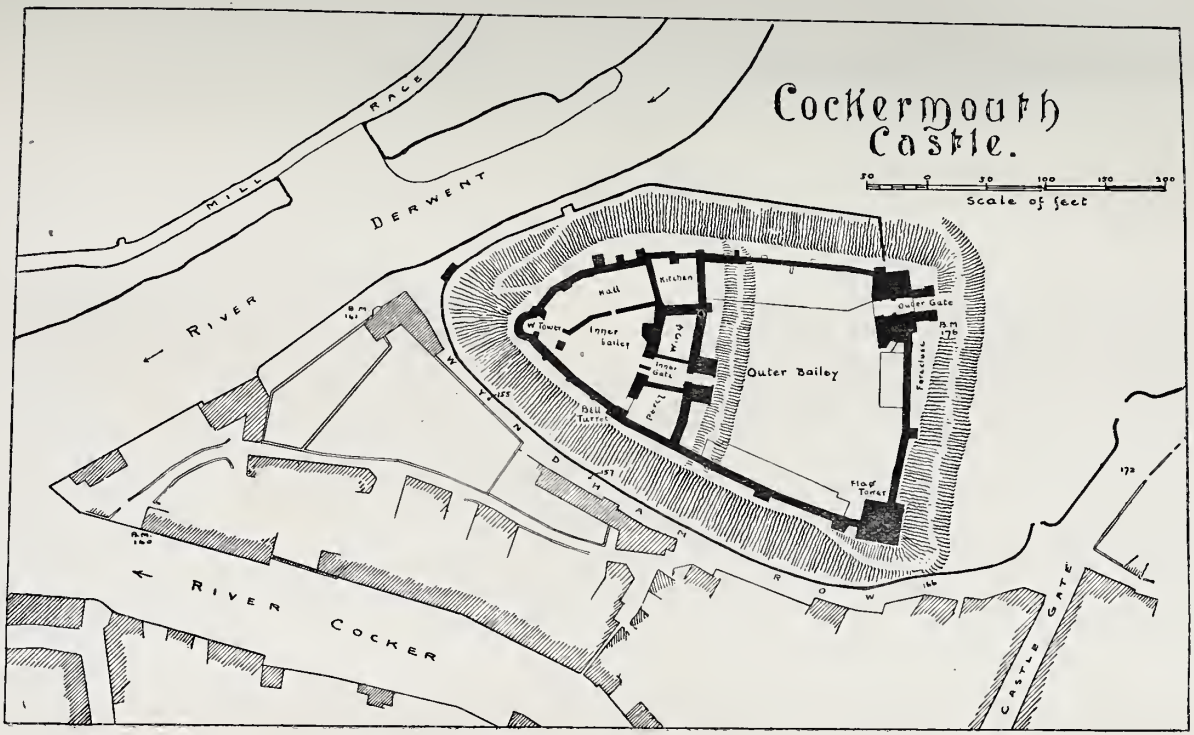
When we consider the troublous nature of the Border about this time, William Jackson's surmise is likely to be near the truth. Richard, the English Lion, whose hurried visits to his kingdom were mainly occupied in turning every available asset into cash for his crusades, had little care for English interests—Cumberland was too far off to be of any use to him, so that he sold his rights to it, and gave up the city and castle of Carlisle to William, the Scottish Lion. His brother, John, regained the territory, and once more made the Cheviot Hills the boundary between the two nations. But the Scots were not satisfied, and nothing seems to have daunted their determination to regain Cumberland for a Scottish province. In fact, by the 8th of August, 1216—*i.e.*, one year after de Fortibus had entered into possession of Cockermouth—the city of Carlisle had again surrendered to Alexander. Great uneasiness resulted from these invasions, and an extensive castle-building era set in by reason of them. Thus we find Hugh de Morville strengthening the Eden Valley, and closing the passage up the vale of Mallerstang by his castles of Kirk Oswald and Pendragon, whilst de Lucy was busy protecting his barony at Egremont about this time.

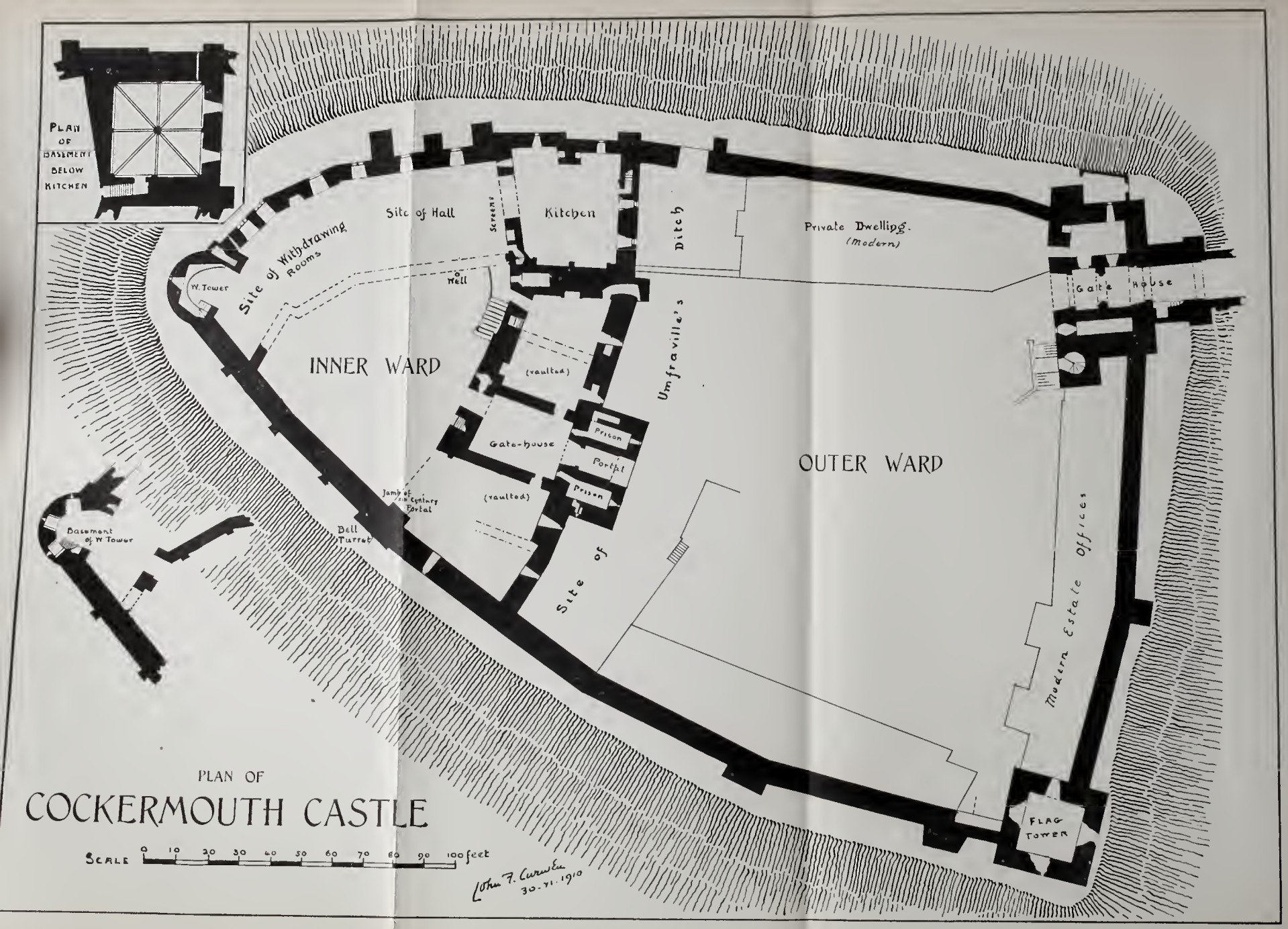
If a Norman keep ever formed a portion of this first castle, it must have been completely destroyed almost directly after it was built, when Henry III. wreaked his vengeance upon de Fortibus.

William de Fortibus II. died in 1241, leaving a son and heir, William III., who must have regained the king's favour. For we find that on September 18th, 1241, a mandate was issued to Henry de Neketon, escheator beyond Trent, as follows:—"The king having taken the homage of William, son of William de Fortibus, sometime earl of Albemarle, for all the lands, tenements, and castles which the earl held in chief, to deliver to him the castles of Cockermue, Skipton in Cravene, and Skipse in Holdernesse" (*Calendar of Patent Rolls*, 1232-47, 258; see also *Roll of Fines*, Henry III., p. 353).

It was this William who rebuilt the small fortress upon this tongue of land which lies between the confluence of the Derwent and the Cocker, and which rises about 36 feet above the level of their waters. The two sides of the tongue are thus fortified by nature, but the eastern, or root of the promontory, has no such protection. Thus, to isolate the site effectually, William excavated a very wide ditch, connecting the cliff of the Derwent with the sloping bank of the Cocker. Within this area the castle formed a spherical triangle of about 42 yards each way, with its angles capped by circular bastion towers. The basement of the present west tower is of this period; so also is some 14 feet high of the present south curtain and the lower portion of the north curtain. The footings of the eastern curtain also remain, but the most interesting point to note is the one door jamb, which still remains erect, sufficient to reveal to us where the gatehouse of this early castle stood. Without, there must have been a barbican spanning the great ditch, and you will notice in the curtain a rude, round-headed doorway as if it had been a postern. An outer bailey existed surrounded by a timber palisade.

William de Fortibus died in 1259, having married for his second wife Isabel, the sister and great heiress of Baldwin de Redvers, eighth earl of Devon. Cockermouth was left to her as her dower, and in the year 1268 we find in the Record of Pleas (*Placitorum Abbreviatio*, 173b) that


Cockermouth Castle.
Scale of feet
50 0 50 100 150 200
MILL RACE
DERWENT
RIVER
RIVER COCKER
WYNDHAM ROW
CASTLE GATE
Kitchen
Hall
W Tower
Inner bailey
Wind
Inner Gate
Perch
Bell Turret
Outer Bailey
Outer Gate
Foreclose
Flag Tower
B.M. 161
B.M. 160
B.M. 176
155
157
166
172


PLAN OF BASEMENT BELOW KITCHEN
Site of Hall
Screens
Kitchen
Ditch
Private Dwelling.
(Modern)
Site of Withdrawing Rooms
W. Tower
Well
Gate House
INNER WARD
(vaulted)
Umfraville's
Prison
Gate-house
Portal
Prison
OUTER WARD
Jamb of 13th Century Portal
(vaulted)
Basement of W Tower
Bell Turret
Site of
Modern Estate Offices
FLAG TOWER
PLAN OF
COCKERMOUTH CASTLE
SCALE 0 10 20 30 40 50 60 70 80 90 100 feet
John F. Curwen
30.VI.1910

she complained against Roger de Lancaster, Richard le Fleming, and others that, *vi et armis* they had come to her castle at Cockermouth, and seized and carried away a goshawk and three doves, and consumed her goods to the amount of 40 marks.

Isabel died in 1293. As she left no issue, her vast estates were held to have escheated to the Crown although there were then living descendants of William fitz Duncan's second daughter, Amabel, who were of course her legal heirs.

From this time the castle was in the hands of the Crown for a period of 30 years, and there are records of homage paid by sub-feudatories and frequent grants of the custody of the castle. For instance, we find under date October 14th, 1298, the following royal order :—

Whereas the king learns by an inquisition taken by the escheator that Bertin de Ughtrethessat held of the king at his death, by knight service as of the manor of Cokermue, which is in the king's hands by reason of the lands of Isabel de Fortibus, sometime countess of Albemarle, tenant in chief, being in the king's hands . . . . . the king orders the escheator to retain in the king's hands the lands that Bertin held, &c. (*Close Rolls*, 1296-1302, 180).

There is a further order to cause dower to be assigned to Joan, late the wife of Bertinus de Ughtrethessat (*Ibid.*, 226).

Again, under date 1300, we find that Thomas de Richmond, whose valour during the siege of Carlaverock has been signalised in the ancient poem upon that siege, was rewarded for his exploits by a grant of the castle for life.

Thomas de Richmond comes once more,
One gallant charge he led before:
Vermilion clad, on vermeil field
Gold chief with twice twin bars, his shield.

He must have relinquished the reward, however, for on the 26th September of the same year there was issued a grant to John de Sancto Johanne for life, in satisfaction

of 1000 marks of lands, farms, and rents which he was to have had in England until he could obtain seisin of 1000 marks of land in Galloway from which he was excluded by the Scotch wars, of the castle of Cockermouth with its members for £110, &c. (*Calendar of Patent Rolls*, 1292-1301, 537). His tenure was of brief duration, for on the 20th January, 1303, there is an order to the constable of the castle of Cockermouth to permit the executors of the will of John de Sancto Johanne to have free administration of all his goods and chattels within the castle (*Close Rolls*, 1302-7, 10).

On the same day there is a confirmation of patent to John de Kirkeby, king's clerk, to the custody of the castle and Honour of Cockermouth, &c., with the proviso that he is to pay the executors of the will of John de Sancto Johanne, who held the premises for life, the issues thereof (*Calendar of Patent Rolls*, 1301-7, 110). Kirkeby seems to have complained of this charge upon him, representing that de Sancto Johanne had allowed the premises to waste. Whereupon the king ordered, on 19th September, John de Kirkeby, fermor of the castle, to cause the king's houses within the castle, the weirs of his fisheries, the paling round his park, and his mills to be repaired out of the ferm of the castle, by the view and testimony of John, son of Christiana and Thomas le Oysilur (*Close Rolls*, 1302-7, 55). Again, in the following month, the king issued a commission to Richard de Abyndon and others to survey the castle, houses, parks and woods, and to enquire by jury what state it was in when Kirkeby received it, and what waste and destruction was done while it was in the hands of John de Sancto Johanne (*Calendar of Patent Rolls*, 1301-7, p. 160).

On the 19th December, 1307, an order was issued to the constable that he should

Safely and securely keep and defend the castle of Cockermouth so that no damage or danger happen to the same; the king who intends shortly to set out for parts beyond sea desiring that the castles of

his kingdom should be diligently and safely guarded for the greater security and tranquillity of his people (*Close Rolls*, 1307-13, 50).

In July, 1309, Edward II. granted Cockermouth Castle to his favourite Piers de Gavestone and his wife Margaret for life, but in the following month there is an enrolment of surrender by them (*Close Rolls*, 1307-13, 225). Gilbert de Culwen then became keeper of the castle and Honour, and on November 26th following the king commanded him to pay David, earl of Athol, 50 marks in aid of his expenses on the march to Scotland.

On the 20th July, 1311, the king issued a mandate to Robert de Leybourne, constable of the castle and keeper of the Honour of the castle, to cause all defects in the castle *and peel* of the castle (*i.e.*, palisade to the bailey) to be made good from year to year by view and testimony of two good and lawful men of those parts (*Calendar of Patent Rolls*, 1307-13, p. 377).

On April 7th, 1314, a grant for life was issued to Edmund de Malo Lacu, in consideration of his good services, of the castle and Honour of "Kokermuthe," together with the knights' fees, advowsons of churches, &c. At the same time a mandate was issued to Robert de Leyburne to deliver the castle and Honoúr to the said Edmund, together with the king's armour and all dead stock, *tota mortua garnistura*, which are in the castle. Another mandate was issued to the sheriff of the county of Cumberland that if Robert de Leyburne is unwilling to deliver, then he shall without delay retake into the king's hands the castle and manor, with its armour and entire dead stock, and deliver the same immediately to the said Edmund, taking with him, if necessary, a sufficient posse of the county (*Calendar of Patent Rolls*, 1313-17, p. 102).

In September following we find that Robert de Leyburne was granted all the issues of the king's manors of Penrith and Sowerby until he shall have received a sum of £599 15s. 3¼d., being the balance of a sum of £1096 16s. 8¾d., in which the king was bound to him

when he was constable of the castle of Are in Scotland. The castle and manor of Cockermuthe, to the value of £130 a year, had been granted to him to hold until he should be fully satisfied, but subsequently the king had committed the castle and manor to Edmund de Malo Lacu to hold for life, and by his letter patent promised to repay the said Robert de Leyburne before Midsummer Day last past the sum of £733 11s. 9¼d. which still remained due, as well on account of arrears of the said sum of £1096 16s. 8¾. as for the costs and expenses incurred by him, at the king's command, in the repair and improvements of faults in the castle of Cockermouth, &c. (*Calendar of Patent Rolls*, 1313-17, 177).

Edmund de Malo Lacu only held the position for one year, for we find that the castle was again regranted to Thomas de Richmond in 1315 for his life (*Abbreviatio Rotulorum Originalium in Curia Scaccarii*, vol. i., p. 170). Richmond's tenure was likewise of short duration, for on the 19th of June, 1316, a mandate was issued to him to deliver the king's castle of Cockermouth, which is in the king's gift, together with its armament and victuals, to Robert de Cliderhow, king's escheator beyond Trent (*Calendar of Patent Rolls*, 1313-17, 479). From the Close Rolls, it would seem that Richmond retained 20 men-at-arms, 10 crossbowmen, and 80 footmen for the safe custody of the castle whilst it was in his keeping (*Close Rolls*, 1330-33, pp. 254 and 432).

From the Close Rolls, we learn that on August 3rd, 1316, Robert de Cliderhou was ordered to cause the castles of Brough-under-Stainmore and Cockermouth, both in his custody, to be supplied with victuals out of the issues of his bailiwick. This was at the time when Bruce was menacing the district.

Once again we find Robert de Leyburne keeper of the castle. On the 16th November, 1316, he was ordered to cause the following defects in the castle and lands to be repaired by the view of two men of his bailiwick, expend-

ing thereon the sums of money given below, as follows:—The little tower in the inner bailey, 40s. The little hall, the private kitchen, two bakehouses, and two chambers in the same bailey, £4 13s. 4d. The stone wall between the said bailey and the outer bailey, £20. The great hall and kitchen serving the outer bailey, £11 13s. 4d. The chapel there, 10s. The stone walls of the prison, 66s. 8d. The new peel, 40s. The stable there, 40s. The enclosure of the park, 40s. (*Close Rolls*, 1313-18, 374).

On September 9th, 1317, the king ordered the treasurer and barons of the exchequer to allow to Alexander de Bastenthwayt the sum of £99 18s. 8d., expended by him about the defence of the castle, the said Alexander having taken the castle into the king's hands, and having caused it to be provisioned with victuals and men-at-arms on account of the Scotch rebels who were then endeavouring to enter these parts. The said Alexander kept with him in defence of the castle from 15th July to 5th August last past, 37 men-at-arms, 51 hobelers (light horsemen), an engineer, a mason, a carpenter, eight crossbowmen, two porters, a watchman, and 60 footmen. But that after the retreat of the Scots he only kept with him eight men-at-arms, an engineer, a carpenter, a porter, a watchman, and 20 footmen. And that he expended in repairing the gate and engines of the castle 20s., the total of which wages and expenditure amounts to £99 18s. 8d. aforesaid (*Close Rolls*, 1313-18, 496).

Another order was issued on the 1st November following to Robert de Leyburne, constable of Cockermouth Castle, to cause that the castle be kept safely by sufficient men as he ought to have therein (*Close Rolls*, 1313-18, 505).

Thus it will be seen that the castle was in the custody of several seneschals who were constantly changing, until it was granted for life to the celebrated Andrew de Hartcla, who had gratified Edward by revenging the death of Gaveston when he defeated the earl of Lancaster at Boroughbridge (*Abbreviatio Rotulorum Originalium in*

Curia Scaccarii, vol. i., p. 245). On May 28th, 1321, an order was issued to Andrew de Hartcla to attend to the ordinance for the repair of the defects in the castles of Carlisle and Cockermouth, whom as constable of the castle the king commanded to view, survey, and report on all defects necessary to be repaired for the safe guarding of the castles, and to attend with Robert de Barton, his lieutenant, to the supervision of the repair. Further, the king ordered the abbot of S. Mary's, York, collector in the diocese of York of the tenth imposed upon the clergy by the pope for the king's use, to pay him 100 marks out of the tenth for the repair of the aforesaid defects (*Cal. Pat. Rolls*, 1317-21, 608; also *Close Rolls*, 1318-23, pp. 305, 393). There is a note under date July 10th, 1337, in which Robert de Barton besought the king to order allowances to be made to him for his reasonable expenses, as he incurred greater expenses for the maintenance of himself and his men and serjeants, on the account of the scarcity of victuals in those parts through the Scots' frequent invasions, than was wont to be done there at another time. The king ordered accordingly (*Close Rolls*, 1337-39, 86; also 1339-41, 411).

In the meantime, 1316, a plea was entered at Westminster (*Placitorum Abbreviatio*, p. 323) on behalf of Thomas de Multon of Egremont and Anthony de Lucy for the moiety of the barony of Allerdale, which had escheated to the Crown on the death of Isabel de Fortibus, shewing their respective descents from Amabel, the second daughter of William fitz Duncan; a plea which, although unsucessful at first, was recognised at the time of Hartcla's fall. Poor Hartcla, who had been loaded with manors and honours, either overcome by ambition or out of compassion for the over-run and despoiled northern counties, entered into a league with Bruce, which Edward and his advisors deemed treasonable. Anthony de Lucy was thereupon ordered to seize Carlisle Castle and capture Hartcla, and for this service was rewarded, as a matter of favour rather

than of right, with the manor and castle of Cockermouth to hold by the service of one knight's fee (*Charter Rolls*, 9 Edward II., 118, between Nos. 4 and 5).

There is in the possession of Lord Leconfield an ancient parchment roll, which from the character of the handwriting was probably written in the fifteenth century. It seems to be a collection of documents relating to the title to the Honour of Cockermouth. Here we find, under date 1323, the king's order to the custodian of the castle for the delivery of the same, and a further order to his tenants of the castle to do fealty to Anthony de Luci (Roll 70/7, F. 12 and 13).

Anthony de Lucy died in 1343, and was succeeded by his son Thomas, who filled many prominent offices, and died in 1365. Now I think that it was during this Thomas de Lucy's occupation that the fourteenth century hall replaced the earlier timber erection on the north side of the inner bailey, and also that the bastion tower, at the western angle, was then raised upon the basement of the one erected by William de Fortibus. His successor was his son Anthony, who proceeded to the Holy Land, where he died in 1368. Upon his decease, his sister Maud or Matilda became the heiress of the Lucy line, and she was the wife of Gilbert de Umfraville, earl of Angus.

In these days more comfort was sought after, more state rooms and bed chambers, better cooking and larger cellars were required. Now de Fortibus' great dry ditch, 18 feet deep, lay between the inner and outer baileys, so what could have been more natural than to adapt this as the basement for a new wing, and thus complete the ring of buildings around the inner bailey? Umfraville is supposed to have laid the foundation for the cellars, and to have excavated his new ditch without them. There is also every reason to believe that he made considerable progress with the erection of the kitchen tower, as it will be noticed that the walls of the wing do not bond in, but abut upon, the corner of this great tower. It is probable

that Umfraville, who died in 1381, did not live long enough to see the completion of his work.

The Countess Maud, becoming a widow, married again in 1385 Henry Percy, first earl of Northumberland, and settled her lands upon him and his heirs, who were to bear the arms of Percy and Lucy quarterly. This mighty earl, having been the main instrument in dethroning Richard II. and placing Bolingbroke in his seat, had risen to great territorial power. Although perhaps he did not make Cockermouth a place of close residence, yet it may fairly be assumed that he completed Umfraville's work by raising the stately set of apartments upon the new cellars, and the great portal with dungeons on either side and guard rooms above. Probably it was owing to these building operations that the Scots were enabled to surprise and capture the castle when they swept suddenly south, under the banners of the earls of Douglas and Fife, in the year 1387. We have every reason to believe that the Scots, following their usual custom, laid fire to the castle before leaving, for we learn that after the invasion new roofs were erected. There seems to be no doubt also that it was in consequence of this that Earl Percy rebuilt the large outer bailey with stone walls, erecting at the same time the flag tower at the south-east corner, and the main entrance gateway at the north-east corner.

Mr. Banks, one of Lord Leconfield's surveyors, informs me that whilst excavating, in the year 1904, for certain improvements to the terrace outside the estate offices, and just within the angle of the bailey near to the flag tower, they came upon three circular courses of massive masonry revealing the foundations of the original bastion tower which capped this angle. There was no lime mortar, but the huge stones were set up in a kind of brown clay. Now this is exceedingly interesting, as it shows, first of all, that the bailey was originally of somewhat smaller dimensions, and, secondly, that the tower was not solidly built with lime mortar, as were the buildings of the inner

FOUNDATIONS OF THE EARLY ANGULAR TURRET TO THE OUTER WARD: COCKERMOUTH CASTLE.

TO FACE P. 142.

COCKERMOUTH CASTLE: THE GATEHOUSE. TO FACE P. 143.

bailey, but rather constructed temporarily, and more in keeping with a palisaded curtain.

Over the entrance to the gatehouse, Earl Percy erected five shields to illustrate the ownership of the castle up to this period. In the centre is the coat of his first wife, the heiress of the great de Lucy family—viz., gules, three luces, hauriant, argent; on the right of this, facing the building, is his own coat, the blue lion of the Percys on a golden ground; to the extreme right, the family coat of Margaret Neville, the earl's second wife, showing that this gatehouse was erected after the death of Maud in 1398—gules, a saltire argent; whilst on the left is the coat of Multon, argent three bars gules; and on the extreme left the golden cinquefoil pierced, surrounded by an orle of crosses of the same on a bloody field, for Umfraville. The crosses on this latter shield are flory, and six in number. It is curious that in each of the three other undoubted examples of the Umfraville arms that are found carved in stone in Northumberland, the form of the crosses composing the orle is different, while they are sometimes six and sometimes eight in number. For instance, the shield in Hexham Church on the effigy of Gilbert de Umfraville, who died in 1307, has eight crosses patonce; that on the battlements of the gateway of the inner ward at Alnwick Castle, *circa* 1350, has six plain crosses crosslet; while that on Elsdon Tower, probably dating between 1421 and 1437, has eight crosses crosslet patty.

Forever plotting treason, the earl was slain at length at the battle of Bramham Moor in 1408, and with this period may be said to commence the Wars of the Roses, when the fortunes of the castle followed the fortunes of the Percys as they ebbed and flowed. Hotspur, his valiant son, fell at Shrewsbury. Henry, the next earl and lord of Cockermouth, fell at St. Albans in 1455; and the third earl of that brave, brilliant, and unfortunate race died on the battlefield of Towton in 1461, when his honours and estates became forfeited by act of attainder.

The earl of Wiltshire and Dr. John Morton, chancellor to the young Prince of Wales, were taken prisoners at Cockermouth Castle during this year (1461), the earl being beheaded at Newcastle shortly after by the victorious Edward (*Paston Papers*, ii., 7).

There are some interesting items relative to the chapel of about this period preserved in the Castle Muniment Rolls, as follows:—

1446. Salary of Sir Thomas Darlyngton one of the lord's chaplains celebrating divine service in the chantry of Cockermouth Castle, granted to him for the term of his life, £6 13s. 4d. Salary of Sir John Richeman the other of the lord's chaplains, granted to him for the term of his life, £6 13s. 4d. (Roll 29/2, Receiver's Accounts, 24 Henry VI.).

1455. Chaplains, Sir John Richeman and Sir William Colby (Roll 29/3, 33 Henry VI.).

1477. Salaries of chaplains.—Paid to Robert Herryson and Thomas Armorer, chaplains of the chantry in the castle of Cockermouth for their salaries for this year, namely to each of them £6 13s. 4d. (Roll 29/7, 16 Edward IV.).

Paid to John Thomson for 3lbs. of wax bought from him for wax lights to be made thereof before the images of the Holy Saviour and Blessed Mary in the chapel of the castle at 7d. a pound, 21d. (Roll 29/7).

Paid for one hair rope bought for the bell of the chapel 2d. (*Ibid.*).

Paid to William Hall, smith, for the making of one new candelabrum of iron bought from him for the chapel, 6s. 8d., and paid for the setting up and fixing of the same on the wall before the image of the Holy Saviour (*Ibid.*).

1485. Salary of Robert Herryson and Thomas Armorer, chaplains celebrating divine service in the chapel of the castle, £6 13s. 4d. each (Roll 29/8, 2 Richard III.).

Paid to William Glazier hired in gross for repairing and mending all the defects in the glass windows in the chapel of the castle 6s. (*Ibid.*).

The castle, the lordship, and the Honour of Cockermouth were granted on April 11th, 1465, to Richard Neville, earl of Warwick (*Rot. Pat.*, 5 Edward IV., part 1, m. 14), and it is curious that Cockermouth should have

belonged to two such powerful king-makers during the same century. After the earl's death at the battle of Barnet in 1471, Cockermouth was restored to the Percies, by gift to Henry, the fourth earl, who seems to have looked to the welfare of the castle, for we find him paying an account to Thomas Walker for 900 shingles at 3s. the hundred for the repair of the roof over the kitchen tower (*Castle Muniment Roll*, 29/7, anno 1477). At this time Edward Radclif, Esq., was lieutenant of the castle.

The fifth earl, who died in 1527, was the first who died a natural death. The sixth earl had no child, and his brother was attainted; he left all his estates to the Crown, hoping that they might be restored to his nephew by the royal clemency as ultimately, after a space of 20 years, they were.

Southwell, having suppressed Furness Abbey in 1537, wrote to Cromwell as follows :—

Accordyng to the kynges commandement, we yntende to repayre and so forthe to Egremunt Castell and Cockermouthe, yntendyng no more to returne to Furnes ..... Syr the kynges highnes shall have here thre goodly Seniorys and welle peoplede the one adjoynyng nere to the other, the Seniory of Furnes, the Barony of Kendalle and the honour of Cockermouthe (Beck's *Annales Furnesienses*, pp.358-360).

Leland, writing in 1539, says :—

The Towne of Cockermuth stondeth on the Ryver of Cocker, the which thwarteth over the towne; and Cocker runneth yn Darwent hard at the Point of the Castel of the Erl of Northumberland (vol. vii., fol. 70, 72).

Thomas Percy was restored by Philip and Mary as seventh earl in 1557. Eleven years afterwards, on the 16th of May, 1568, Queen Mary Stuart landed at Workington, and was escorted on the following day by Sir Henry Curwen to Cockermouth Hall, as the earl was not then resident at the castle. Very soon afterwards, however, he joined Nevill, and plunged into that wild "rising of the North" which terminated in his death at the hands of the headsman.

In 1570 Edmund Hall and William Homberston, the royal commissioners for enquiring into the castles and estates of those compromised in the unfortunate rising, surveyed both Cockermouth and Egremont Castles, and their report can still be seen in the Public Record Office. In the State Papers for 1569, relating to this rebellion, there is a letter from Lord Scrope, warden of the Western Marches, to the Council, dated February 26th, 1569, in which he says :—

Cockermouth Castle being void of a keeper, I committed it to Lamplugh for the time, and he substantially and with good numbers caused it to be safely kept (*Calendar of State Papers, Dom. Add.* 1566-1569, 167-8).

The Acts of the Privy Council give a letter dated June 13th, 1571, to George Lamplugh signifying the queen's pleasure that he should be restored, and thenceforth enjoy the office of deputy lieutenant to Thomas Lord Wharton and of the castle and Honour of Cockermouth. Another letter, dated August 16th, 1574, to George Lamplugh requires him to deliver the castle of Cockermouth, which was for a certain time committed to his keeping, unto such and in such order as he shall be appointed and required by the guardians of Philip Lord Wharton.

From a survey, bearing date May 20th, 1577, we gather the following extracts :—

There is also a castle in Cockermouth situate between the waters of Derwent and Cocker, with a trench or dry ditch about the same, with two barns and other buildings . . . . . The said castle is now in great decay, as well in the stone work as timber work thereof. The said castle is covered with lead.

In Christopher Dacre's survey of the decayed castles and fortresses thought meet to be repaired upon the west borders, made in the year 1580, we find Cockermouth referred to thus :—

This house or castle doth belonge to ye Earle of Northumberland, standinge x miles south west from Woulstre Castle . . . . . partly

decayed and for divers good consideracons thought meete to be repaired, the charge of which reparacons wth helpe of such tymber as is there ready at this present and other the wood there, belonginge to the lord and owner of the same is esteamed to two hundred pounds (*Calendar of State Papers, Dom. Add.* 1580).

In the year 1591, Sir Wilfrid Lawson was made lieutenant of the Honour of Cockermouth by the earl of Northumberland, with the custody of the castle and a fee of £10. The State Papers for 1605 contain a warrant to Sir Henry Widderington to seize Tynemouth, Alnwick, Prudhoe, and Cockermouth, all castles of the earl of Northumberland, concerned in the Gunpowder Plot (*Calendar of State Papers*, 1603-10, p. 254). Following upon this we find, amongst the Muncaster papers, a letter dated November 14th, 1605, from Sir Wilfrid Lawson to Lord Salisbury, disclaiming all connection with Earl Percy, and begging that Cockermouth Castle should not be seised into the king's hand :—

The castle itself is for the most part ruinous. My wife's son dwells in the gatehouse by my direction. The dispossessing me of this castle will breed in the heads of the people an opinion that some suspicion is held of my loyalty, and disgrace me in the government of these parts.

Having no favourable response, Sir Wilfred seems to have become despondent and prepared for the worst. Writing to his bailiff, two days later, he says :—

You will do well to send your wife and children away, and to remain at Cockermouth Castle until the coming of Sir Henry Widderington, who will put you forth and put others in. We must obey the warrant from the lords of the Privy Council.

Probably Sir Wilfred's close association with Lord Cumberland, the favourite, worked to his advantage, for soon he had the satisfaction of receiving a letter from Sir Henry, dated November 24th, 1605 :—

I have received letters from the Council, desiring that I should forbear to seize or enter Cockermouth Castle, and that it should continue in your keeping.

On September 22nd, 1645, the earl of Northumberland, writing to Sir Henry Vane, says :—

As to putting a garrison into Cockermouth Castle, I should very unwillingly admit of any there, because the place is neither strong, nor useful (*Calendar of State Papers*, 1645-47, 150).

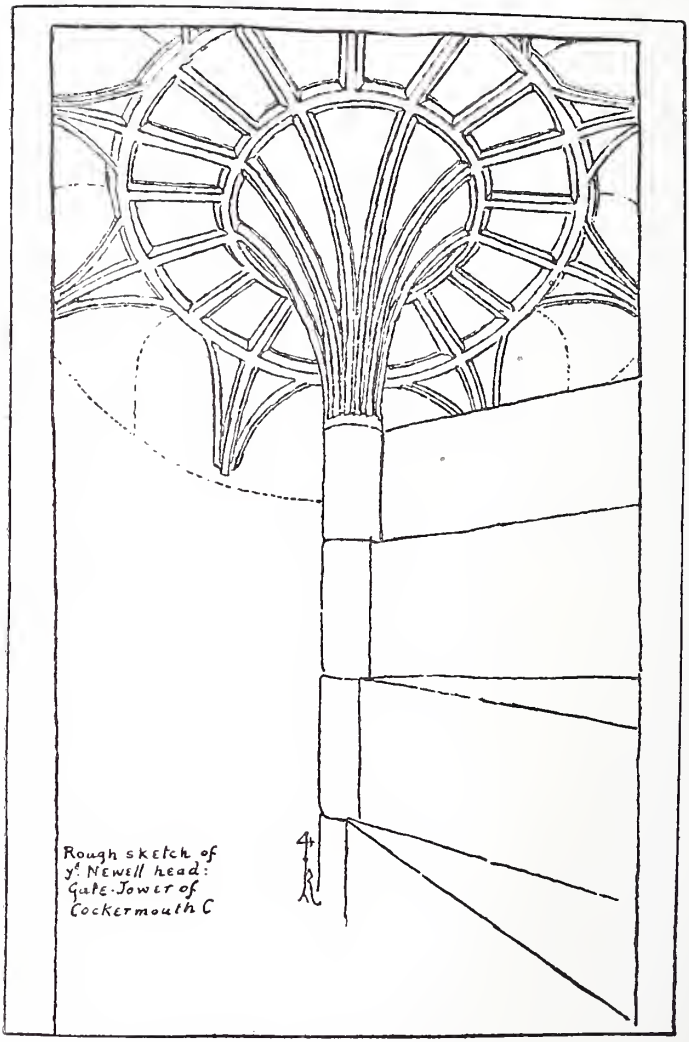
In 1648 the castle, being held for the Parliament by Lieutenant Bird, was besieged by a body of 500 Cumberland royalists in the month of August. It held out until the 29th September, when it was relieved by Lieut.-Col. Ashton, sent out of Lancashire by Cromwell for that purpose. The effects of the Parliamentary strife upon the building, beyond the removal of the roofs, do not appear to have been very serious. Nevertheless it would seem that after this the castle was dismantled with the exception of the gatehouse, which appears always to have been occupied. It is known that in the year 1649 the new ditch, without the Percy wing, was filled up.

This magnificent and venerable ruin is now the property of Lord Leconfield of Petworth, by whose kindly courtesy we are able to inspect it, and before proceeding to explain the details as existing to-day, I am anxious to record my thanks to Mr. Herbert Watson, his lordship's agent, for allowing his assistants to render me invaluable aid.

The Ruins.

Climbing the Castle Hill from the town the great portal was reached by passing through a narrow causeway that spanned the outer ditch, as seen in T. Hearne's view, to the barbican. This outwork, which measures 18 feet long, seems never to have been roofed, but to have consisted merely of two flanking walls, some 15 feet high and seven feet in thickness. They were parapetted, and the rampart walk reached by lateral stairs let into the thickness of the wall. Through the southern wall a small doorway, 2½ feet wide, opened on to the southern foreclose, which was doubtless palisaded, and used to cover

COCKERMOUTH CASTLE: T. HEARNE'S VIEW, 1778. TO FACE P. 148.


Rough sketch of
y^e Newell head:
Gate-Tower of
Cockermouth C
4

the gate when a sortie was in progress. The ends of these walls in front were terminated by square piers, which supported a cross arch of entrance likewise defended by a parapet, and the drawbridge when drawn up served the purpose of a gate. It will be noticed that the cross arch is set inward some 12 inches so as to allow of the thickness of this drawbridge being recessed within the walls.

The gatehouse adjoining forms a tower, 50 by 32 feet, and is of three storeys in height. Over the round-headed portal and beneath a long flat label are the five shields bearing the armorial coats of the owners of the castle, as already referred to. The passage within is vaulted, and has rebates for three doorways, one behind the other, of which the one nearest the entrance seems to have been inserted to replace a portcullis, the groove of which is clearly visible.

The lower portion of the tower is undoubtedly of fourteenth century work, but the upper part seems to have been rebuilt during the Perpendicular period, and the windows enlarged. There is a good newel staircase communicating with the rooms above, which has a groined roof of late but interesting design. This and the one at Johnby Hall are the only two specimens of a groined roof in our district. The illustration is from a drawing by the late Canon Knowles.

If we now turn along the eastern curtain we find about midway a solid buttress-turret projecting about eight feet square from the curtain, which seems to have been added for the purpose of carrying a small piece of ordnance. It has a plinth on the front face only, but there is no plinth to the ancient curtain.

The south-east corner of the outer bailey is now capped by the flag tower. It measures 31 feet square, and projects outwards about 6½ feet upon the two curtains. Above the basement there are two upper floors, which are each reached by separate external staircases. A third stair

ascends from the east curtain to the battlements and rampart walk. It is worthy of notice that the roof is high pitched, having the coping of the south gable stepped in the Scottish fashion, like the tower of Kirkandrews-on-Esk. The north gable is set back about three feet to allow of the rampart walk being continued from the east to the south curtain. At the base there is a splayed weathering on each of the two main faces, and just below is a double plinth. Notice on the west side the two garderobe outlets between the two plinths.

There is nothing very much of importance to draw attention to on the south curtain beyond the fact that two rather large buttresses have been added externally to increase its strength.

On the site of the north curtain there now stands a long stretch of rebuilt wall, five feet thick, covered by Lord Leconfield's dwelling. On the top of the wall and above the roof are two ancient cusped window openings, which one can only suppose to be insertions, made for giving an ancient effect to this blank wall. In Messrs. Buck's view this wall is shown to be very much less in height, so that clearly the upper part has been rebuilt since 1739. Between this dwelling and the kitchen tower was, until quite recently, a large apartment known as the stone parlour or ball room. It can only be entered now through a window on the external face. An inscribed stone, said to be a portion of a Roman altar, is built into the wall.

The level of this outer bailey is some six feet below the surface of the inner bailey, so that the portal into Umfraville's wing as viewed to-day appears more like a large window, without its drawbridge inclining down across the ditch.

The outer arch of this portal supported an embattled parapet, and behind there is an opening, or machecoule, through which missiles could be dropped on any assailants. The inner arch was evidently closed by great doors, and,

COCKERMOUTH CASTLE: S. BUCK'S VIEW, 1739. TO FACE P. 152.

at the further end of a passage, a second doorway led directly into the interior of the gatehouse.

Here we find a room 29 by 21 feet, with a wooden floor supported on stone corbels. On either side of the entrance are two narrow doors, one segmental and the other square headed, each of which opens into a small, acutely vaulted prison, about 16 by 8 feet, and lighted by grated loops on to the outer bailey. From each there opens a small door into a mural garderobe within the outer side walls. In the centre of the floor of each prison there is a trap door forming the only entrance down into the lower dungeons, some 18 feet deep below the surface. It is rather ghastly to notice holes in the side walls of the upper prisons intended to hold a horizontal beam, from which a prisoner could be slung and lowered into these most loathsome dens.

In the side walls of the gatehouse there are two acutely pointed doorways which lead into lateral chambers, 18 feet wide. The cellars beneath these side rooms have been vaulted and groined, some of the springing stones of the ribs being still visible. They were entered from the central cellar, which was entered from the inner bailey, by a flight of twelve steep steps that led down beneath a lancet doorway into what was the original ditch. The walls to the lateral rooms to the north are tolerably perfect, and show the windows, garderobes, mural chambers, and fireplaces of two floors, whilst those to the south are now completely destroyed.

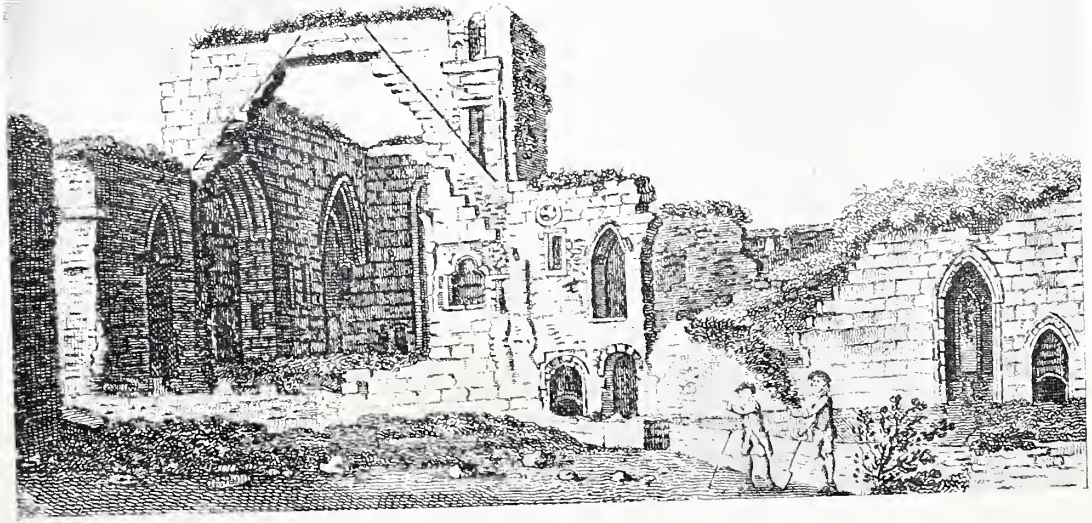
From the gatehouse an inner gateway, piercing a wall nine feet thick, led straight out into the inner bailey. The passage through is vaulted, and the outer arch rebated for a door. In the north side there is a narrow Carnarvon-arched doorway leading into a small mural and vaulted recess lighted by a loop.

Between the gatehouse and the great kitchen tower the space is filled in with state chambers, in which can be seen a good specimen of a fourteenth century hooded fire-

place. The windows are deeply recessed within Carnarvon arches; those on the first floor have garderobes leading out of a jamb, whilst those on the upper floor are fitted with stone seats. In the north-east angle of each floor a narrow square-headed door leads into a long but narrow mural chamber, with a loop out into the outer bailey. The first floor chamber is entered from an external staircase, which will be referred to later as being the main way up to the great hall; whilst a straight mural staircase in the western wall led up to the upper floor.

We now come to the kitchen tower, which is a very remarkable structure, and so stately as to be often mistaken, even by the Ordnance surveyors, for the castle's keep. The basement to it is entered from the inner bailey through a round-headed door of Decorated date, and which stands at the head of a flight of fifteen steps down a vaulted passage in the thickness of the wall. The chamber is about 30 feet square, having a central octagonal pier, without base or cap, from whence spring eight ribs; four span across to piers in the corners, and four to piers in the centre of each wall. The arches are pointed, and the vaulting is some 20 feet high. In the east wall there are two deeply splayed loops, whilst in the north wall there is a water drain. Tradition still calls this basement a chapel, but both George T. Clark and William Jackson say that it "bears no indication of having been used, or ever intended as such."

The kitchen itself is very lofty, with an open timber roof, the corbels to the hammer-beams of which remain. The floor has been built up, so as to be on a level with the hall floor—*i.e.*, about 10 feet above the ward level. In the south wall are two fireplaces, each 11 feet wide, with remains of stone hoods, and high up in the wall above them there is a long window or loop for the emission of vapour. In the east wall are two similar windows, about 24 feet long, crossed by a transome, square-headed but placed within shoulder-headed recesses. On the north



COCKERMOUTH CASTLE: FROM GROSE'S "ANTIQUITIES OF ENGLAND," 1774.

TO FACE P. 155.

wall are two fine recesses, divided from one another by a bold pier 7½ feet wide and 4 feet in depth. The soffits are ribbed, one with two and one with three ribs, plainly chamfered. There is a window in each, and, being partitioned off from the kitchen, they might have been used as pantries. Above them, 7½ feet from the floor, can be seen a string course which supported the floor of a wooden gallery that ran along the full length of the wall, passing in front of the pier. A similar gallery is to be found at Wharton Hall, and they were evidently used by the chef, from whence he could overlook all culinary operations. This one was entered by a small door in the east wall of the kitchen, from whence a mural stair ascends to a second door on the gallery level. From off the gallery two small doors, piercing the pier, led to a chamber in the thickness of the curtain wall. At the west end of the gallery another door opened into a mural passage which communicated with the minstrels' gallery over the screens.

An enormous modern arch has taken the place of the western wall of the kitchen. Grose gives a drawing in his *Antiquities of England and Wales*, taken in 1774, which shows this wall before the arch was inserted. On the north side of this arch is the only door to the kitchen. It is four feet wide and shoulder-headed, but it seems strange that so large a kitchen should only have this one door, and that communicating with the hall screens.

The most notable feature in the screens is a large plain-chamfered and trefoil-headed recess, or sideboard, with the remains of its stone shelf. Close beside it there is a small doorway to a newel stair, which led upward to the battlements over the Percy wing, and higher up to the leads over the kitchen. Half way up this stair there is a narrow doorway which opens into a tiny apartment, about 9½ feet long and 5 feet wide. This little room is worthy of considerable attention. From off a cavetto string the roof is beautifully vaulted in trifoliated form. In the only external wall, that toward the west, there is a narrow

loop, and over it a small cusped rose window, whilst in the east wall there is a recess as if for an aumbry. This mural chamber—scooped out, as it were, from the heart of the wall, hidden away and secluded from the turmoil of the castle, and entered from off a stairway that would seldom be used except in time of warfare—must surely have been devoted to the purposes of meditation and prayer.

The hall, built in 1360, was about 52 by 32 feet in measurement, and raised upon cellars some ten feet above the bailey level. It must have had a lofty open timber roof; some of the corbels remain, and the pitch of the weather moulding is seen in Grose's view. The entrance, as usual, is close to the screens, and was reached by a balcony and flight of external steps from the bailey. One jamb of the doorway, richly moulded in the Decorated style, is still left standing. There is in the bailey a mass of fallen stonework, which seems to indicate the position of this staircase, and a close examination of the arch stones over the doors that lead down into the cellars will reveal how that a level platform, or balcony, has crossed over them to the hall door. Moreover, we also have at this same level and from off the balcony the threshold to the door that leads into the state chambers.

The southern wall of the hall, where probably the fireplace was situated, unfortunately is now levelled nearly to the ground; but just outside we notice the castle well, which is said to be 61 feet deep, and which continues to give a constant supply of hard water.

The more massive northern wall still retains its windows, each of two trefoiled lights, below a quatrefoil head. Externally there are three large buttresses, built as additions in the fifteenth century to keep the wall from settling, but the loose soil of the escarpment has since given way beneath them, so that they have parted company with the building, which they were intended to support.

The dais was at the western end of the hall, and behind this the withdrawing rooms, but the dividing wall is now gone. The lower portion of the north wall is probably original—*i.e.*, of the thirteenth century—the three large Tudor windows, of course, being insertions. Further on we come to a straight stair which leads up to a mural garderobe, the opening of which is boldly projected upon two corbels, high up at the junction of the curtain with the west tower. This evidently seems to be an insertion of the fourteenth century. The Bucks' view, taken in 1739, gives a good idea of the general appearance of this side of the castle.

We now come to the west tower, the basement of which, as we have said, forms a portion of the first thirteenth century castle. It is drum-shaped on plan, and within deep recesses are three original loops with their archer's seats. Upon this basement has subsequently been erected a superstructure of three storeys, but here the walls take a hexagonal form. Each floor has a single trefoil-headed window of Decorated style recessed back below pointed arches, the soffits of which are double ribbed. The upper floors are reached by a newel staircase, and from the second floor a door on the north side opens upon a staircase leading to a garderobe immediately above the last-named one.

Passing round to the southern curtain we notice that the ancient masonry remains to a height of 14 feet, to which another 10 feet or so of ashlar face has been added above it, and the external buttresses much raised. It is likely that lean-to buildings were erected against this curtain, during the fifteenth century, as workshops and offices.

To complete the circuit we finally notice the bell turret of late fourteenth or early fifteenth century construction. It measures about 18 by 10 feet, and stands upon the curtain with a slight projection from it.

In conclusion, I must say that it has been a great

pleasure to me to endeavour to read the history of this noble ruin, following around its walls in the footsteps of such eminent authorities as George T. Clark and our late friend William Jackson, from whose descriptions I have derived very considerable help.

Art. IX.—*The Old Hall, Cockermouth.* By J. H. Martindale, F.R.I.B.A.

Read at the Site, July 7th, 1910.

AFTER inspecting the fine and visible castle of Cockermouth so ably and lucidly described by Mr. Curwen, I am afraid you will think Cockermouth Hall as coming from the visible to the invisible, and that it will be necessary to walk, or see, by imagination, not by sight. Notwithstanding the rather forbidding appearance, you will find, as you have frequently done in your peregrinations, a building well worthy of your attention, and also of more delineation and description than I am able to give you to-day.

The modern builders have completely obscured the Old Hall from observation from the street, and therefore it is little seen by the superficial visitor, as it is only from points of vantage to the south and by looking over roofs that the general outline of the buildings of the seventeenth century can be realised.

The name "Old Hall" is of comparatively recent origin; it is not mentioned in the fine and complete Elizabethan roll at the castle. It was the home of the Fletchers, a family so well known in and which has done so much for West Cumberland. The first important notice relating to the family is early in the sixteenth century, and mentions a William Fletcher (I believe his father and grandfather are known by name before him), who had amassed wealth, not by the usual military prowess of the Borders, but in the equally honourable, and certainly more refined, profession of commerce. This William had a son Henry, who succeeded him here, and entertained Mary Queen of Scots on her journey from Workington to Carlisle, because

at that time the hall was in a better state for the reception of a queen, even if a captive, than the lordly castle.

Miss Agnes Strickland has pleasingly described this event, when the worthy Cockermouth merchant provided the captive queen with a robe of crimson velvet, and the ladies of Cockermouth were received at a special "Court."

Henry Fletcher's sixth son, Thomas, succeeded, and he was followed by his eldest son Richard, who was high sheriff 1616-1617, and was knighted by James I. This Sir Richard purchased Hutton in the Forest, and settled there. His son was created a baronet, and became the ancestor of the present Fletcher Vanes.

The old house in which Mary was entertained was pulled down and rebuilt by Sir Richard in the early part of the seventeenth century, and the superstructure of to-day is of this date.

Will you kindly try and picture the surroundings at the period we are speaking about? This front would have an open quadrangle or court some 60 feet wide and 30 feet deep, with a bay in centre about 12 feet by 10 feet. The centre part would be three storeys in height, and the wings probably two. The ground storey would be low, the first floor being as usual at that period the principal floor. The entrance would be at this side, probably at first floor level, approached by an external flight of steps. The windows, as you can see, were three-light with transoms, the bay having four lights, both in front and sides. You can at once picture Montacute in miniature. The south side or garden front is about 96 feet in extent and had a similar treatment, except that there is a stair turret projecting in place of the bay, and there are no wings. The windows show the same treatment, but there is a rather curious projection near the stair turret finished with stone weatherings. The finish of the eaves and chimney stacks is completely destroyed by modern work, or the want of it.

To the south-west is a large block of buildings of the

same date, but in present circumstances it is impossible to identify their use. When you pass to the south side you must again play on the imagination, and see all the outbuildings away and open garden extending to the churchyard, where now is the Market Hall, with a small silvery brook running down to the Derwent, now covered over.

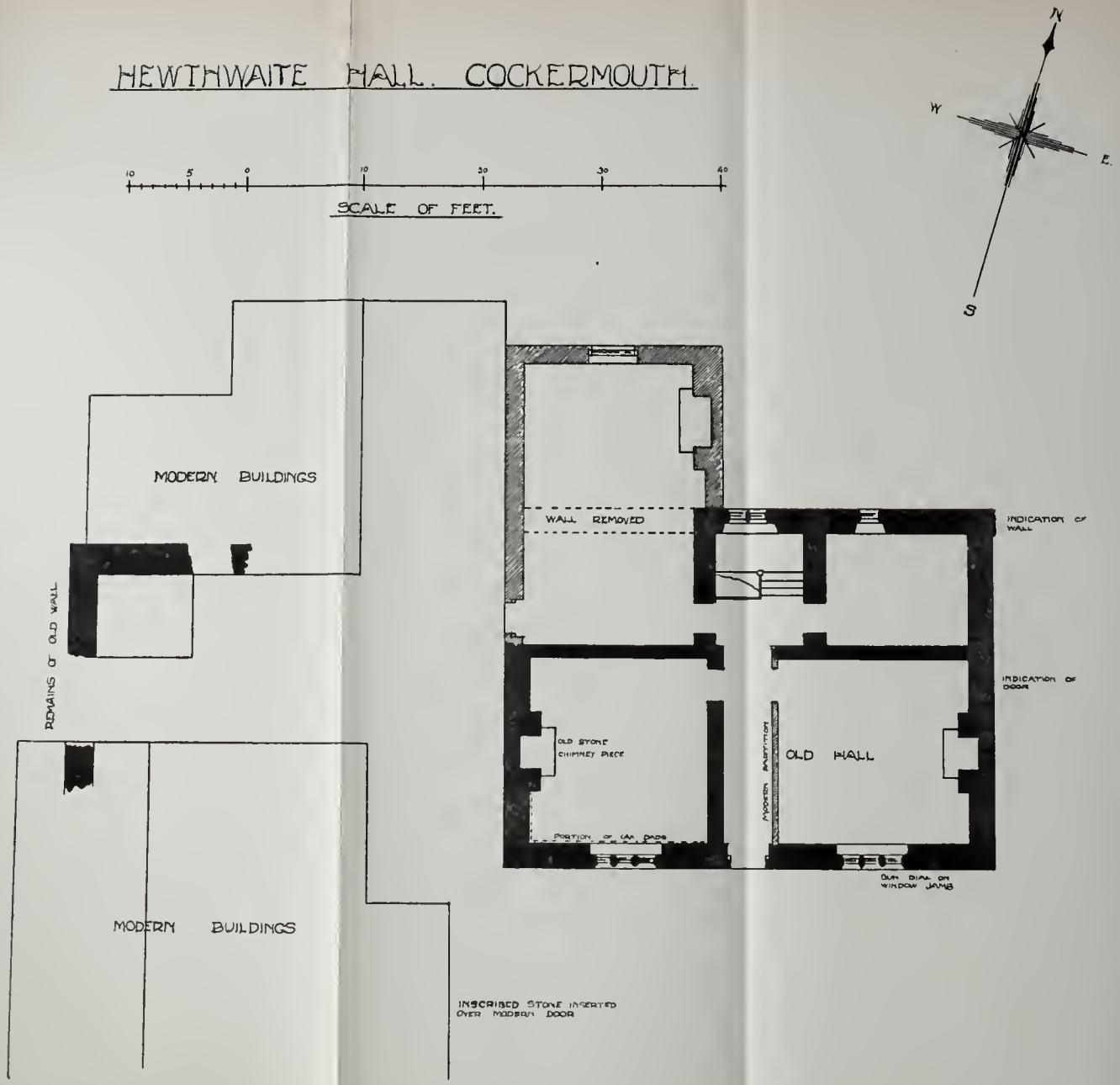
Entering the house by the door on the left (not an original door) you are in the old kitchen, reduced in size by the insertion of a modern partition. You will see a fine stone arch to the fireplace, 11 feet 9 inches span, 5 feet 6 inches to springing, and 6 feet 8 inches to crown. You will notice as you return into the modern passage the buttery hatch at the foot of the stairs; also note that all the ancient internal door openings retain the stone dressings. It seems to me that possibly this kitchen is part of the old house, and was left at the time of the rebuilding by Sir Richard. Passing up the stone stairs, a single flight of about 5 feet 6 inches wide, you reach, probably, the level of the original first floor, but by various ups and downs and passages you enter modern rooms at different levels. On the second floor over the kitchen you have a large room with late seventeenth century stone mantel, and also a fragment of a frieze. In these rooms I again draw attention to the inside dressings to the rear arches of the windows; although they are now beautified by red and gold wallpapers, you may still trace the lines of the mouldings. The south wall in the centre is some 7 feet 6 inches thick. The north is not quite so thick. These may possibly be the remains of some earlier tower at this point.

Mr. Thwaites and his sister will no doubt show you the closet in which Mary Queen of Scots slept, and I leave this point to their greater local knowledge. The three rooms mentioned by Miss Strickland, but now divided, would certainly be more fitting for the reception of a queen. Unfortunately, I am afraid they were not in existence at the time.

Returning to the ground floor and passing to the south side of the building, you will find you have only seen the interior of the eastern portion of the centre block. The western is a separate tenement. The circular stair turret mentioned before has an external door, no doubt the garden entrance. The stair is some 11 feet in diameter, and has been lighted by small two-light windows, at suitable levels, on the detached sides. As I mentioned before, the roughcasting and modern buildings built against the old work, and the alterations to floor levels inside, make it very difficult to describe or explain the place of the several rooms on each floor.

I have not seen any armorial stones in the building, and as the Fletchers are not mentioned in the visitation of 1530, they were probably not armigerous at this period.

HEWTHWAITE HALL. COCKERMOUTH.



TO FACE P. 163.

Art. X.—*Hewthwaite Hall, Cockermouth.* By J. H. Martindale, F.R.I.B.A.

Read at the Site, July 8th, 1910.

I FIND even in modern times two ways of spelling and also pronouncing the name—viz., Hewthwaite and Huthwaite. Reference to documents also gives several, for the site is ancient, and without doubt gave the name to the family which appears very early in the reign of Henry III. as de Hothwaite. In the Pipe Rolls (Ex. series, vol. xii.) of the 11th and 12th Henry III. (1228-1229) the sheriff accounts for a rent of 6s. from the monks of Holm Cultram for the farm of Howthwaite. According to Hutchinson, the manor was held by homage, providing a witnessman, and rendering a pair of gilt spurs at Easter annually. In the 40th of Henry III. (1255) a Thomas de Huthwaite (Ex. series, vol. xx.), probably in orders, gave his moiety of Brigham Church to Isabel, Countess of Albemarle, and in the 8th Edward I. (1280) Gilbert de Huthwaite seems to have held the moiety again. The will of a Gilbert de Hothwayte (hardly the same) is proved in 1361 both at Carlisle and Richmond, and he seems to have been buried at Cockermouth. The will of a John de Huthwaite is proved in 1369, and he mentions his brothers Gilbert and Thomas, and is probably buried at Plumbland. There is another will of a William de Huthwaite in 1275, and he mentions his sister Ellen. A Thomas de Huthwaite was prior of Carlisle about the middle of the fifteenth century (1460), preceding Prior Gondibour. After a possession of some 300 years the male line seems to have failed in the sixteenth century, when the heiress married a Swinburn, about 1589.

The Swinburns are a Northumbrian family, and

whether this John Swinburn came through the Percies, who had been at Cockermouth Castle for 150 years, or was a Cumbrian from Bewcastle is not clear, but he evidently found the proverbial "grey mare" the better horse, and took up his residence on his wife's estate. From the Swinburns the property passed (I think by inheritance) to the ancestors of the present owner, Colonel Green Thompson.

During the long possession of some 300 years the de Huthwaites were a family of some importance, and their home would correspond to their social position and the character and type of the period. We might therefore expect some sort of a pele tower and wings, but I am afraid very little, if any, of the original house is visible. Modern cement roughcast, a very excellent protection against our north-country storms, is equally effectual against examination and the pryings of inquisitive antiquaries. There are walls above ground on the west side of the present house indicating a tower or block of buildings about 25 feet from north to south, and possibly 30 feet east to west. The quoins or angles are not very clear. The centre block or present house is some 45 feet in front, and there are again indications of foundations on the east side; that buildings existed on this side is proved by door openings now obscured by roughcast in the gable wall. The centre part was no doubt rebuilt or remodelled by the first Swinburns, as stated on the panel over the front door. It consisted on the ground floor of a hall about 20 feet by 15 feet 2 inches, with a small parlour to the left 14 feet 8 inches by 15 feet 2 inches, and kitchen, stairs, and offices in the rear, the whole having a depth from north to south of some 30 feet. The kitchen has been extended, and its original size is not quite clear.

In the south elevation, on the ground floor, are two mullioned windows of three lights, one on each side of the entrance. The lights have arched heads and no transom; they have heavy label moulds, with plain shields

Photo. by Mrs. Dyson.

HEWTHWAITE HALL.

TO FACE P. 165.

on the terminals. Those to the hall window have been renewed, and possibly one of the original ones remains built in the face of wall on the opposite side of the road. It has a grotesque face upon a shield, and, if it is not from the hall window, clearly indicates a window of a similar character having been removed. You will notice a sundial on the jamb of the hall window.

The upstairs windows are two-light with transom, later in date and inferior in character. The building has been reroofed, and the walls raised. I am told there was originally a stone cornice or eaves course.

The stone work of the front door is peculiar, and in my opinion is made up to some extent of fragments from other places. Several of the mouldings do not mitre, or bear any relation to each other; some portions have quite an ecclesiastical appearance, and this brings to mind the fact that Prior de Huthwaite of Carlisle (1460), near the end of the male line, is reputed to have erected the new bishop's throne, which was destroyed in 1727, and other work in the Cathedral. The inscription is "John Swynburn Esquire and Elizabeth his wife did make cost of this work in the days of their life ano dom 1583. ano Reg 25." The armorial bearings are not clear, but seem to me to have some connection with the Percy arms.

On the west and north side are two small windows of two lights, with mouldings of a slightly later section; the original stanchion bars remain at least in one. The head or sill of a similar window is built up in the west side of the barn, again proving that certain domestic buildings have been taken down.

On the north side is a fine two-light window of the Tudor period in its original position, and partly built over by the kitchen wing. The lights have arched heads with five cusps, a square transom with battlements on the outside.

In the interior of the building, the parlour to left of the entrance contains a very plain stone mantel, and a portion

of the oak panelled dado. The staircase is of oak, with well turned balusters and plain handrail. There are some remains of the square framed oak panelling of the spandril, and the old batten doors with wooden latches. One or two of the windows retain the old lead lights, but most of them have been fitted with modern wood casements and frames.

From the present state of the garden and the erection of modern farm buildings, it is impossible to indicate which has been the original outline and arrangement of the entrance. The house stands back from the present road some 80 feet, but this road is a comparatively modern one, and the house would originally stand in a park. The old road lies to the south. Among other fragments which may be noticed about the farm buildings, there is an inscribed stone built in over the door to the stable bearing this inscription :—"This stone is erected in gratitude to Wilfrid Grisdale Esq., by whose will Joshua Lucock Esq. got this allotment 1779 (or 4 ?)."

ART. XI.—*The Askews and Penningtons of Seaton.* By the Rev. C. MOOR, D.D.

Read at Carlisle, September 8th, 1910.

IN the paper bearing the title "The Askews of Marsh Grange," communicated by Mr. J. Brownbill at Barrow, on September 9th, 1909, and printed in these *Transactions* (vol. x., N.S., p. 331), it is stated that "the story goes that a Sir Hugh Askew was related to the contemporary Sir William Askew of Kelsey in Lincolnshire, who was father of Anne Askew . . . . There is no truth in this legend. The Askews of Lincolnshire derived themselves from a Yorkshire stock, and had no connection with the Furness district. Sir Hugh Askew, according to Burke's *Commoners* and Foster's *Lancashire Pedigrees*, came of a Cumberland family living near Muncaster, and had no connection with the Lincolnshire Askews." Mr. Harper Gaythorpe adds a note, apparently corroborating these statements, and there is appended a digest of the grant of Seaton Priory to Hugh Ascue on March 15th, 1542.

In endeavouring to trace the Penningtons of Seaton, from whom I chance to be descended, I have found certain documents which bear upon this question, and which show that Sir Hugh Askew had a close relationship to one family of the Lincolnshire Askews, although not to that one which gave birth to Anne Askew.

In Sir Hugh's time and later there were two families of Ascough, Ayscough, or Askew in Lincolnshire, and the pedigrees of both may be seen, traced with considerable fulness, in the Harleian Society's vol. 50, Maddison's *Lincolnshire Pedigrees*. So far as I am aware, each of these pedigrees may be relied upon for fair accuracy of statement.

The Ayscoughs of Stallingborough and North Kelsey are traced back to Bedale in Yorkshire, where Sir William Ayscough, chief justice of common pleas, was buried in 1455-6. His son John Ayscough obtained property in Lincolnshire by his marriage with Margaret, daughter and heiress of John Tailboys of Stallingborough, and made that his place of residence. He was succeeded by a son and grandson, each Sir William Ayscough of Stallingborough, sheriffs of Lincoln in 1500 and 1521 respectively. The second of these had a daughter Anne, wife of Thomas Kyme, but commonly spoken of as Anne Askew the Martyr, burnt at Smithfield in 1546. Junior members of the family lived at Grimsby and elsewhere, and the male line continued in Lincolnshire until about 1700. There are interesting monuments of these Ayscoughs in Stallingborough Church. Not understanding the etymology of their name, which was derived from the township of Aikscough or Askew near Bedale, they took for arms sable, a fess between three asses coughing argent. There seems nothing to connect Sir Hugh Askew with this family.

The other Lincolnshire family of Ayscough is in the Harleian Society's vol. 50, traced back to Matthew Ayscough of Lacra in Millom, Cumberland, whose great grandson Christopher Ayscough was of Blyborough in Lincolnshire. The Lincolnshire visitation of 1592 records a pedigree beginning with his name, and gives to him three sons—Matthew, Henry, and Walter Ascough—making no mention of Sir Hugh Askew, who was nevertheless, as will appear, a son of Christopher. It is fairly clear that Christopher was the first of the family to settle in Lincolnshire, and his migration so far from home was probably due to the fact that the great Charles Brandon, duke of Suffolk, had a messuage in Millom, and was also lord of the manor of Blyborough. Christopher followed the duke to his Lincolnshire property, and it was perhaps under the ducal patronage that his son entered the royal service. Of

the other sons, Matthew was of Millom, and Henry of Bootle.

Walter Ayscough eventually succeeded to his father's property, which may have been one of the lesser manors at Blyborough, and greatly improved his fortunes by marriage with Elizabeth, daughter and heiress of John Gurney. When Henry Brandon, the second duke, died in 1551 of the sweating sickness, and was followed to the grave by his brother Charles, the duke of half an hour, the great Brandon estates were divided up among the descendants of Sir William Brandon, their great grandfather, and Blyborough Manor fell to Walter Ayscough, as husband of Elizabeth Gurney, whose ancestor Henry Gurney had married Katharine Brandon, Sir William's daughter. Walter was succeeded at Blyborough by his son Sir Henry, and he by Sir Walter, and the family remained there until the middle of the seventeenth century. Other descendants of the first Walter settled at Revesby and Washingborough in Lincolnshire, and the Harleian Society's vol. 50, traces the family until 1676.

Sir Hugh Askew married Bridget, daughter (by his third wife Joyce Prickley) of Sir John Huddleston of Millom, so that besides his ancestral associations, he had the attraction of relationship to a very ancient and highly connected family to draw him back to Cumberland. When therefore the king was disposing of the vast possessions of the dissolved monasteries, he applied for and purchased "the house and site lately the priory of Seiton" in Bootle parish, and made it his chief place of residence. As to his religious opinions we have no information, but the form of his epitaph seems to indicate that he complied with the various changes of his time. The Lady Bridget apparently remained in communion with the church of Rome.

On the south wall of the chancel of Bootle Church is a brass with the effigy of a short stumpy man in armour, girt with a sword, and wearing a cap. The wording is as

follows:—"Here lyeth Sr Hughe Askew knyght, late of the Seller to Kynge Edward the vi, which Sr Hugh was maid knyght at moskelbrough felde In ye yere of o^r^ lord 1547, and dyed ye second day of marche In the yere of oure lord god 1562."

For some reason or other his inquisitio was delayed for nine years, and was then taken at Carlisle, August 23rd, 1571 (writ dated May 15th, 1571) by Richard, bishop of Carlisle, Henry Lord Scrope, William Musgrave, and Anthony Berwys, armigers, upon the oath of Robert Sands, Leonard Dikes, William Osmotherley, William Orpher, Robert Heighmor, Gawin Eglesfelde, Henry Colsby, John Aglebye, William Simpson, Anthony Heighmor, Ferry Grame, and Robert Patrickson, gentlemen:

Who say that the aforesaid Hugh Askewgh knight was seised in his demesne as of fee of and in the whole demesne and scite of the late priory of Seaton in the county of Cumberland, and of and in divers messuages, lands, and tenements belonging to the same, and of a rent of 12s. 11d., parcel of the same, and of divers messuages and tenements in Seaton, and of the mill of Buttill in Cumberland aforesaid; and also of divers messuages, lands, tenements, meadows, feedings, pastures, and hereditaments, with appurtenances, called Kynnimont or Kydment in the parish of Corney, late possession of the priory of Conyshead in Lancashire; and of hereditaments called Klerkburre *alias* Lukberry and Corney in Cumberland; and of an annual rent of 8d. from divers tenements in Seaton, late possession of the priory of Conyshead; and of divers messuages or tenements lying and being in the parish of Bootle in Cumberland, late possession of the priory of Calder, and now or late in the occupation of John Cowpland, Richard Cowpland, William Cowpland senior, William Cowpland junior, John Postlethwaite, Leonard Burton, Christopher Penye, William Marshall, John Ashburner, the widow of William Wise, Richard Turner, Richard Brathwate, Richard Verle, William Haiton,

William Newton, William Leyr, and Richard Cooke; and also of 2s. 8d. of annual rent, late possession of the priory of Calder, issuing from messuages, lands, and tenements in Millam, and now or late in the occupation of Nicholas Cades, Henry Cades, Rolland Kirkbye, and William Thornborowe; and of one messuage or tenement and eight acres of land in Millam, now or late in the occupation of Thomas Skalding and Abraham Brathwate, late part of the possessions and hereditaments of Henry, late duke of Suffolk; and of the advowson of the churches and rectories of Whitcham, Butle, and Corney in the said county of Cumberland. All and singular of which premises, lying and being between the waters of Eske and Dudden in Cumberland, were the perquisites of the aforesaid Hugh, for himself and his heirs for ever. And he himself, being so seised, did by his last will, exhibited as evidence in writing to the jurors making this inquisitio, and bearing date September 1st, 1562, in the third year of the present Queen Elizabeth, inter alia willed and bequeathed *in his Anglicis verbis*, viz. :—

And also I gyve and bequeath unto the same Dame Bridget my wief all my Scite and Man^or^ howse of Seaton, and all Lands Meadowes Waters, pastures, woodes, com'ons, Rents, Revenues [? Reversions] and Services, with all other profytts to the same belonging or apperteyning, and all other my purchased Lands between the waters of Eske and Dudden in the County of Cumberland, and also the nomination and presentation of the personages and Churches of Butle, Whitcham, and Corney in the County of Cumberland, with all maner of right to the same or any of them in any wise appteyning or belonging. To have and to holde the said Scite and Manor howse with its appurtenances to the said Dame Bridget my wieff during her life naturall. And after her death I will that the said Manor howse of Seaton, and Lands Medowes and pastures feadings com'ons waters woods rents revercons and services, with all other profitts and com'odities to the same belonging or apperteyning, and also the nomination and presentation of or unto the personages and Churches of Butle, Whitcham, and Corney, in the said County of Cumberland, with all manor rights to the same belonging or apperteyning, with all other my Lands tenements Rents Reversions and services whatsoever they be, lyeing and being

between the waters of Eske and Dudden within the County of Cumberland aforesaid shall remayn unto Hughe Askewgh, sonne of Water Askewgh, my late brother in the Countye of Lyncolne, and to the heires male of his bodie lawfully begotten; and for lack of such yssue the remainder to Water Askewgh, brother of the said Hugh Askewgh, and to the heires male &c.; and for lack &c. then to Edmond Askewgh, son of Matthew Askewgh, my late brother, and to the heires male &c.; and for lack &c. then to Henry Askewgh, son of Christopher Askewgh, my late brother sonne of Suffolke, and to the heires male &c.; and for lack &c. then to Symond Askewgh, brother of the said Henry Askewgh, and to the heires male &c.; and for lack &c. then to Matthew Askewgh, brother of the said Henry and Symond, and to the heires male &c.; and for lack &c. then to Hugh Askewgh, son of Anthony Askewgh of Lawraye, and to the heires male &c.; and for lack &c. the remainder to the right heires of me the said testator.

The inquisitio adds that Hugh Askewgh, knight, died seised of the aforesaid premises, and after his death the Lady Bridget entered into the aforesaid tenements, and was still seised of them according to the tenor of the aforesaid will, and has had and enjoyed the outgoings thence proceeding.

And they also say that the aforesaid demesne and scite of Seaton, and all and singular the aforesaid messuages, tenements, and hereditaments with appurtenances in Seaton aforesaid are held of the queen in chief by service of the twentieth part of one knight's fee, rendering per annum to the queen 9s. 11d. at the feast of St. Michael the Archangel for all rents, services, and demands whatsoever, and it is worth per annum £4 11s. 4d. And that the aforesaid messuages, lands, tenements, hereditaments, and other premises with appurtenances in Kynnimont or Kydmont aforesaid are held of the queen by military service, and they are worth per annum 40s. And that all and singular the aforesaid messuages, lands, tenements, and hereditaments and other premises with appurtenances in the parish of Butle, parcel of the possessions and revenues [reversions?] of the late priory of Calder, and the aforesaid messuages or tenements with appurtenances in

Millam, parcel of the possessions and hereditaments of the said late Duke of Suffolk, with appurtenances, are held of the queen as of her manor of East Grenwich in the county of Kent by fidelity only in free socage, and not in chief for all rents, services, and demands whatsoever, and they are worth per annum £4.

And lastly the aforesaid jurors say upon their oath that Hugh Askewgh, knight, and Johanna Hardie, named in the said commission, neither for their own use or for the use of any other were seised or had or held any other messuages, lands, tenements, or hereditaments of the said queen or of any other in demesne, service, reversion, or remainder on the days on which the said Hugh and Johanna died in the county of Cumberland otherwise than as aforesaid.

And lastly the aforesaid jurors say upon their oath that the aforesaid Hugh Askewgh, knight, died on the first day of March, in the fourth year of Elizabeth, the present queen; and that the aforesaid Johanna Hardye was his cousin and next heir, viz. daughter and heiress of Augustine Askewgh, son of Matthew Askewgh, elder brother of the said Hugh, and that she died without heir of her body on the twelfth day of July, in the seventh year of Elizabeth, the present queen. And that on the day of the taking of this inquisitio Henry Askewgh is cousin and next heir of the said Johanna, viz. son of Christopher Askewgh, brother of Augustine Askewghe, son of Matthew Askewghe, elder brother of the said Hugh Askewgh, knight, and of full age, viz. 26 years and more. And so on the day of the taking of this inquisitio the said Henry Askewgh is cousin and next heir both of the aforesaid Hugh Askewgh, knight, and of the aforesaid Johanna Hardie.

In witness whereof the aforesaid jurors have subscribed their names and affixed their seals to this present indenture of inquisitio. Dated the 23rd day of August in the year first written, 1571.

Robt. Sa'des, Leonard Dykes, Wyll. Osmert', Wyllym Orfeure, Robert H——, Gaw^s Egel——, Henry Colsby,

Ihon Applby, Willm Simson, Antony Hyemhou, fergy grame, Robt. Patrigso', Robert Cahers (?).

It might have been supposed that, Sir Hugh Askew having left the reversion to his property, upon the death of his wife, to three nephews, three great nephews, and a cousin successively, Seaton and his other Cumberland estates, "lying between the waters of Eske and Duddon," would have remained with the Askew family. Such must surely have been his intention, so careful was he to provide male heirs, to the exclusion of his great niece and legal heiress, Joan Hardy. But whatever fortune may have come to the Askews of Lacra, Bootle, and Millom, certain it is that Seaton passed away from the Askew family at the death of Sir Hugh, and never returned to it. Probably Bridget, who had the property for life, made some arrangement with her husband's nephews, whereby she obtained absolute possession.

According to a deed quoted in Foster's *Penningtoniana*, in January, 1562-3, William Pennington of Muncaster covenanted to marry Bridget, Lady Askew, within twenty days after Easter next. The bride was probably young, possibly handsome, and certainly rich, and the marriage was a fortunate one for the Pennington family. In 1573 William died, leaving three sons and two daughters, Joseph the eldest son, ancestor of the Lords Muncaster, being under nine years of age at the time of his father's death. In her second widowhood Bridget was usually known as Dame Bridget Askewe, but appears in some documents as Bridget Pennington. She lived for several years at Muncaster, perhaps until the marriage, about 1589, of her eldest son, and in 1606 she was spoken of as "Dame Bridget Pennington *alias* Askew of Seaton," but according to the State Papers Domestic, on January 31st, 1608, a grant was made of the "recusancy of Bridget Pennington *alias* Askew, of Carleton, co. York," so that it is possible that she died in the latter place. There is no monument to her memory at Muncaster.

The Askew Family.

Before attempting to trace the Penningtons of Seaton, who, contrary to the expressed intentions of Sir Hugh Askew, came into possession of his Cumberland estates, it may be well to inquire what traces are left of the Askew family in the neighbourhood of their early home. That not wholly infallible guide, Burke's *Landed Gentry*, states in an early edition that "this family of Askew (Akeskeugh =hilly ground covered with oaks) derived their descent from Thurston de Bosco, who in King John's time had a feoffment from the Boyvills, lords of Kirksanton, of a place there called Aikskeugh within the lordship of Millom, whence his posterity have assumed their name. For several generations this family resided at Greymains in the parish of Muncaster."

There is nothing particularly improbable in this account, though it may not now be possible definitely to connect the Askew family with Thurston of the Wood. Unfortunately the Bootle registers do not go back to Sir Hugh's time, and there is no will of any Askew of Bootle before that of Hugh Askew, proved May 31st, 1661. After this the name occurs frequently in the registers down to 1758 or later. In the neighbouring parish of Millom, where also Sir Hugh had property, Christopher Askew, vicar in 1590, was buried in 1597. His successor of the same name was buried in 1614. Hugh Askew of Lacre was mentioned in 1636, and there was long an Askew family at Standing Stones in Millom parish, William, son of Henry Askew of Standing Stones, being baptised in 1593, and a brass in Millom Church commemorating "Dorothy wife of William Askew of Standing Stones gent., daughter and coheiress of William Musgrave of Crookdake, Cumberland, who died 22 April, 1705, in her 66th year." The voters' list for 1878 shews that in that year Robert Askew of Lancaster had property at Millom.

In Muncaster churchyard an old stone commemorates "Dorothy Askew, daughter of John Ambrose of Lowick,

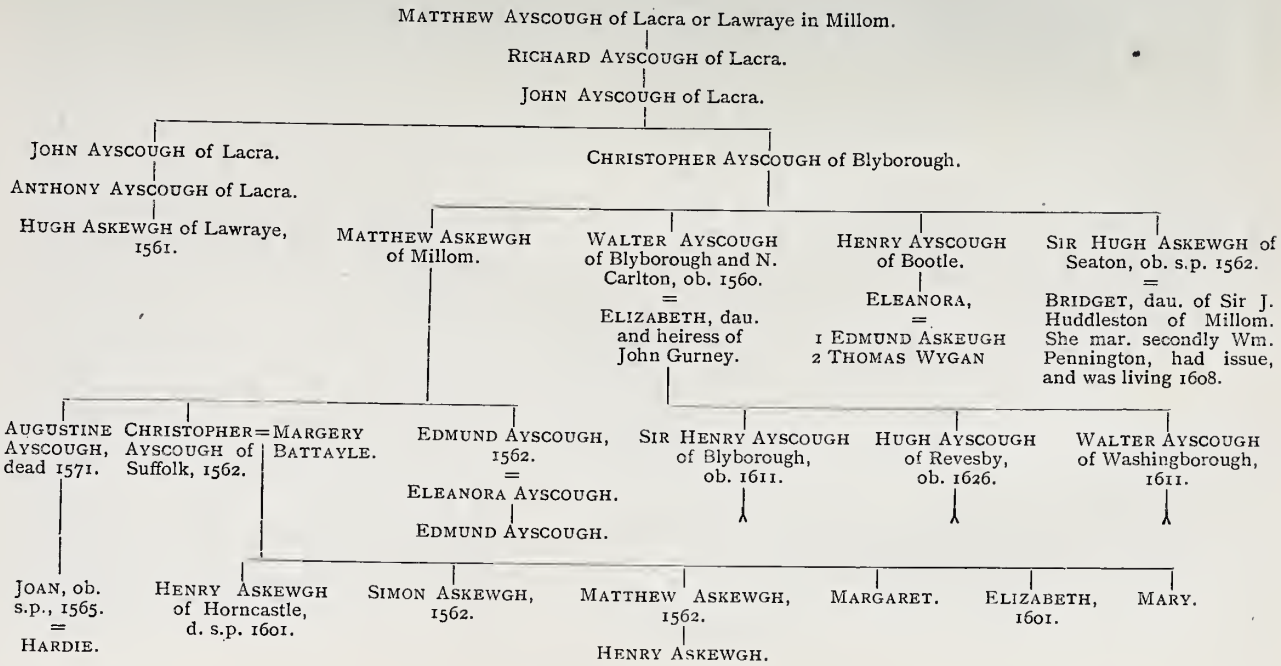
and wife of Hugh Askew of Graymains, gent., by whom she had four sons and seven daughters, and lived 63 years man and wife. She died 29th May, 1703, which was four years after her husband." Between 1689 and 1800 there are only eight Askew entries in the Muncaster registers, including the burials of Mr. Hugh Askew, December 9th, 1698; Mrs. Dorothy Askew, May 31st, 1703; and William Askew, yeoman, September 9th, 1727. The first of these was almost certainly a relative of Sir Hugh Askew of Seaton, and the third may have been son of the first.

The will of Hugh Askew of Graymaines, Muncaster, gent., was dated September 24th, and proved March 1st, 1698. He desired "to be buried under that stone in the churchyard of Muncaster where both my great grandfather, my grandfather, and my father lyeth." He mentioned his wife Dorothy, his daughters Agnes, Easter, Frances, Isabell, Susan, Elizabeth, and Dorothy, and his son William, adding that he had fifteen grandchildren, "which I hope are all now living." To his son he left

The two bedsteads in the chamber where I lye, and the little cuboard & press thereunto adjoyned, In the firehouse the Dishboard & Dresser, in the Parlor one Bedstead, one Great Chair, one great Evidence Chist wth the Grate & Chimney Irons y^t^ was my Lady Askew's, in the Closet one Bedstead, & in the Chamber where my servants lyes two bedsteads and the house jeasts & boards in ye loft above, provided that my dear wife may have the use of them for life.

He added "I do humbly request my honoured friend Sir William Pennington of Muncaster, Baronet, my worthy landlord Edward Stanley of Dalegarth, Esquire, and my dear cozen John Latus of Becke, Esquire, to be supervisors." The mention of furniture in his possession which had come down to him from Lady Askew creates a strong presumption that he was of the same stock as Sir Hugh. If only we had the "great evidence chist" and its contents we might perhaps determine the exact relationship.

Pedigree of the Askews of Lacra and Lincolnshire down to Sir Hugh Askew's death.



Dorothy Askew, his widow, made her will November 6th, 1702, and it was proved October 14th, 1703. She mentioned her son William, and her daughters Easter Bancke, Frances Nicholson, Issabell Cape, Susanna Brigg, Elizabeth Bains, and Dorothy Askew. The last named was buried in Cartmel Priory Church, where she is thus commemorated:—"Here lieth the Body of Mrs. Dorothy Askew, daughter of Mr. Hugh Askew of Graymaines, who departed this life February 18th, 1719, in the 81st year of her age." Arms: A chevron between three asses' heads.

Whether William Askew, yeoman, who died 1727, was the son must remain matter of conjecture. The other sons presumably died before their parents. There were Askews in several of the neighbouring parishes, as Drigg, Irton, Gosforth, and Waberthwaite, at and after this time, and so late as 1886 Richard Askew of Ravenglass was buried at Muncaster. It seems likely that these families came of the same stock, but I have not attempted to trace them out with any fulness.

Pennington of Seaton.

It is by no means easy to trace the descent of the Penningtons of Seaton, who succeeded to Sir Hugh Askew's estates there. Nicolson and Burn (ii., 18) say that Lady Askew gave Seaton to her third son William, and that his descendants remained there at the time when they published their "History," 1777. But it would seem that she really gave the property to her second son John, and that he died in possession of it, though perhaps it may afterwards have passed to William and his descendants. On July 20th, 1592, Lady Askew and John Pennington granted lands at Kinmont and Buckbarrow on lease to members of the James family, and on December 9th, 1596, she joined with her three sons in settling "£40 per annum, or the third part of the manor of Seaton," upon the marriage of her son John with Anne, daughter of Christopher Crackenthorpe, with remainder to her sons

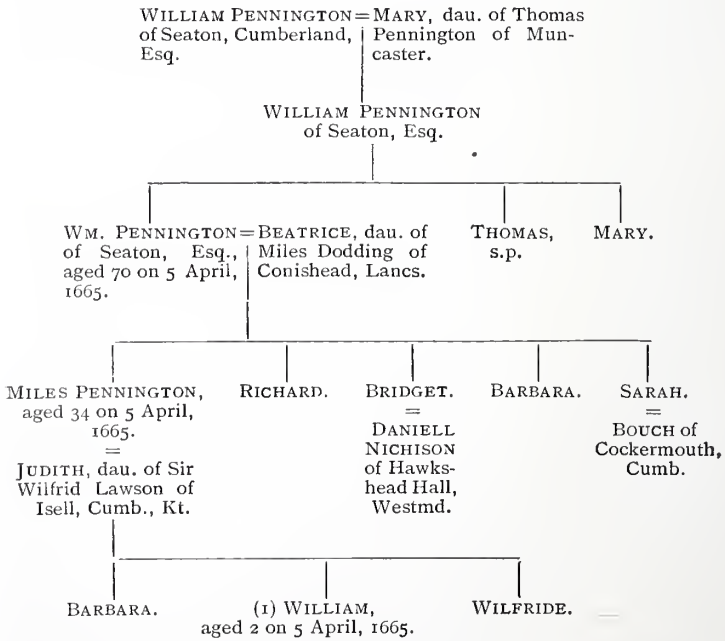
John, William, and Joseph successively. On April 5th, 1597, "out of motherlie love, and for the advancement in life" of her son John, she granted to him an annuity of £40 per annum out of the dissolved deanery of St. Andrew's, Auckland, and on May 21st, 1606, she granted to the same John Pennington of Seaton "a yearly rent of £200, which was to be paid to her by her son Joseph Pennington, Esq., during the term of 60 years, should she live so long, to which Joseph Pennington, by indenture of August 8th, 1605, she had demised the manors of Muncaster and Drigg, Cumberland, the manor of Preston Richard and Little Langdale, Westmoreland, and the manor of Pennington, Lancashire, with appurtenances in Mulcaster, Drigg, Gosforth, Carleton, Gateskale, Middleton Langley and Langley Park, Preston Richard, Little Langdale, and Pennington" (Bibliotheca Jacksoniana, Bundle G). In these it does not appear that she made any special provision for her son William, but I have not been able to find her will, or her inquisitio.

On April 5th, 1613, John Pennington of Seaton died, his inquisitio being taken on November 4th following, when it was shown that he died seised of one capital messuage in Bootill, late of the priory of Seaton, of lands, &c., in Bootill, and of a capital messuage called the demesnes of Seaton, of four messuages, &c., in Holgill, of a messuage, &c., in Hismore, of one watermill in Seaton, of rents there and at Bootill, parcel of the late priory of Calder, of lands in Millam, of a messuage called Kynmont in Corney, and of Buckberry *alias* Luckbary in Corney; some of these being clearly the same which Sir Hugh Askew had left to his widow for life, with remainder to his nephews. The property was moreover held of the king as the twentieth part of one knight's fee.

It was further shown at the inquisitio that on March 10th, 1610, John Pennington had made a will, leaving his property to Richard Fletcher of Cockermouth and William Antrobus, upon trust for the payment of his debts and the

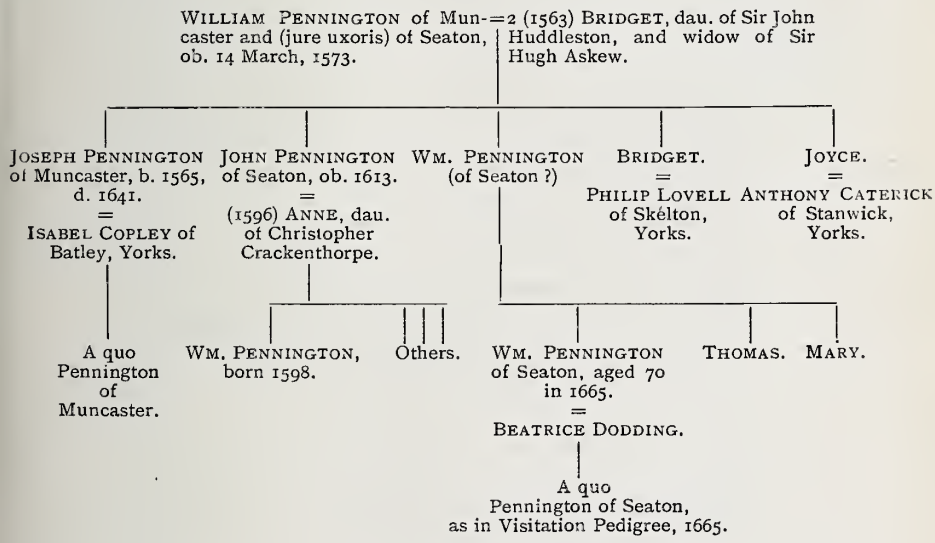
education of his young children, until his son William should be 21 years of age. At the date of the inquisitio, William Pennington, his son and heir, was 15 years and 8 months old.

John Pennington's will does not seem to have been preserved, and the difficulty of tracing the descent from this point is increased by the existence of a visitation pedigree of Pennington of Seaton, "certified by Ferdinando Tonge on behalf of William Pennington, Esq., his master," on April 5th, 1665. The servant, no doubt, did his best, but he had forgotten his instructions, or had guessed at his master's relationships, for the first generation of his pedigree contains an obvious error, and the second generation is singularly incomplete. Mr. Tonge records as follows :—



In this pedigree there is no mention of Lady Askew or

of John Pennington, who nevertheless held the property until well within the memory of its then owner, and even that owner's mother is not recorded. As he was born in 1595, he was presumably the son of William Pennington, born some 25 to 30 years earlier. Being a Pennington of Seaton, he must have been descended from Lady Askew, and unless Tonge had given the name of his master's father incorrectly, he was the son, not of John, but of William Pennington, the third son. I have no doubt that the visitation pedigree is in the main correct, except in one particular, and its incompleteness can be partly supplied from that of the Muncaster Penningtons. I understand the true descent to have been as follows:—



What became of William, son of John Pennington, we have no evidence to show. Perhaps he died young, or perhaps it was found impossible to pay his father's debts, and the property was transferred to his uncle of the same name.

It will be noticed that at this period the Pennington family formed several Yorkshire connections. Bridget, Lady Askew, was of Carleton, co. York, in 1608. Her son Joseph married Isabel Copley of Batley, and her two daughters married Yorkshiremen of Skelton and Stanwick. Her son John married a Crackenthorpe of Westmorland, but I am inclined to think that William, her third son, married in Yorkshire, and that besides his children mentioned in the pedigree—viz., William, Thomas, and Mary—he had a daughter Bridget, wife first of Ambrose Pudsey of Bolton, and afterwards of Sir Thomas Laton of East Laton and Sexhowe. In the chancel of Thornton-le-Street, co. York, there is a brass commemorating her with an inscription which, in my view, makes it clear that she was a daughter of Lady Askew's third son. It reads as follows:—

Pietatis & eximiæ virtutis Femineæ d'næ Brigittæ,
filiæ Willi. Penington ar., ex antiqua Familia Penington-
orum de Mulcaster prosatæ, Ambrosio Pudsey de
Bolton in Craven ar. primo nuptæ, cui
Vnicum filium eiusdem nominis attulit & duas
filias, scilt. Annam & Elizabetham. Quarum
prima Thomæ, natu maximo filio Thomæ Laton
Militis, dein Waltero Robti Strickland Militis secundo
genito Matrimonio Copula, adiuncta fuit, Alteram
vero Rogerus filius & hæres Johis Talbot
de Thornton ar. cepit in uxorem. Postremo dta
d'na Brigitta Thomam Laton Militem in
maritum secundum nupsit: cui peperit Carolum
& Brigittam Laton. Qui Carolus, pietatis
motu, in charæ Matris defunctæ memoriam
hoc curari fecit, obiit ipsa
viii calend Maii
Anno ætatis suæ LXIII
Annoq' d'ni MDCLXIIII.

Below the inscription are two shields, thus emblazoned:—

1. Vert. A chevron between three mullets or.
Pudsey of Bolton.
Impaling: Or. Five fusils in fess azure.
Pennington of Muncaster.

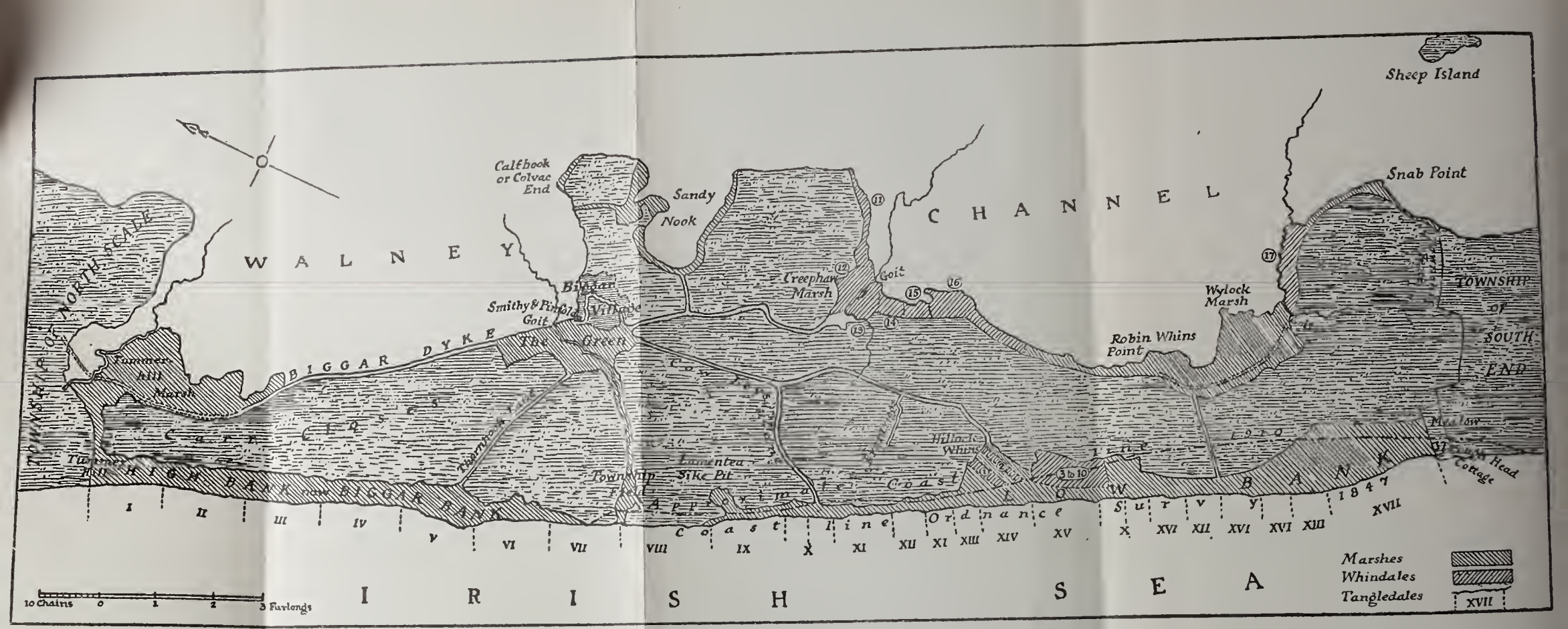
2. Argent. A fess between six crosses fitchée sable.
Laton of Sexhowe.
Impaling: Or. Five fusils in fess azure.
Pennington of Muncaster.

In 1665 the Seaton Penningtons had differenced their arms by the addition of a canton gu., to show their cadency from the head of the family, but this custom was not universally followed, and the fact that the arms of Bridget, Lady Laton, were not so differenced on her monument need not imply that she was a daughter of the senior house. Indeed the expression describing her as "daughter of William Penington, and sprung from the ancient family of the Peningtons of Mulcaster," almost precludes that origin, for it would have been much simpler to speak of her father as "William Penington of Mulcaster," if such he had been. From Lady Laton were descended many Pudseys of Bolton, whose line merged in that of Dawson, whilst her daughter Bridget Laton married Thomas Frewen, M.P., and carried to the Frewen family of Sussex and Leicestershire the blood of the Penningtons, Huddlestons, and many other northern families. In 1794 Selina Frewen married my great grandfather, Rev. J. K. Moor, which accounts for my special interest in these families.

I can only indicate the further descent of the Penningtons of Seaton by reference to certain documents. In 1625 William Pennington, Esq., was assessed to the subsidy at Waberthwaite and Bootle, in 1626 and 1628-9 at Bootle, Waberthwaite, Birkby, and Corney. In 1661 William Penington, Esq., was assessed at Bootle, Waberthwaite, and Corney. In 1673-4 William Pennington, Esq., had twelve hearths, and William Pennington of Seaton, Esq., had eight hearths, both at Muncaster. In

1670 Miles Pennington administered the goods of his sister Anne Pennington of Seaton, who was not mentioned in the pedigree of 1665. Myles himself had a son Lawson baptised at Bootle in 1676, which adds another name. There is a gap until 1747, when we find George Pennington, an infant, lord of the manor of Seaton. On March 22nd, 1753, he was dead, his two sisters, Margery and Elizabeth, being then ladies of the manor. In 1757 Elizabeth married Farrer Wren, Esq., of Binchester, co. Durham, and before July 3rd, 1759, Margery had married Myles Sandys, Esq., of Graythwaite. These conveyed the manor to John Pennington, Esq., afterwards Lord Muncaster, and on June, 24th, 1802, it was sold to John Wakefield, junior, of Kendal, merchant, whose descendant still held it on December 10th, 1875.

There were other Penningtons in the district, and notably a yeoman family at Biggard Mire in Ulpha, but the village of Pennington is not far distant, and these may have sprung from some quite separate family taking its name from that locality.



PLAN OF THE TOWNSHIP OF BIGGAR IN THE ISLE OF WALNEY.

TO FACE P. 185

Art. XII.—*The Town's Book of Biggar, Isle of Walney, 1830 to 1895.* By H. Garencières Pearson.

Read at Carlisle, September 8th, 1910.

A TOWN'S book, otherwise known as "the Grave Book," has been kept from time immemorial, but unfortunately only the latest volume remains in existence.

Owing to the geographical position of the township of Biggar, the entries in the record of its local self government are probably more interesting than those of other places in the same manor.

The township consisted of 16 tenements. It is situate in the southern part of the Isle of Walney, and is included in the manor of Plain Furness. The name "Plain" Furness, in my opinion, refers to the treeless and bleak aspect of this western side of the peninsula, and is not used in the ordinary modern sense, the whole of the remainder of the manor being hilly, or rather hummocky. Of level ground there is little or none.

The township extends from Tummer Hill, which is about the middle of the island, on the north to the Snabs, where it joins the tenements of the separate division of South End, on the south. Each tenement originally comprised a house and about 60 acres of land. Owing to erosion, they now scarcely include 40 acres. The houses are all grouped together about midway between the north and south boundaries.

The peculiar position of the township makes much of the land liable to flooding by the sea at high tides on the east or channel side. The erosion on the west or sea side, which has in living memory destroyed well on to 100 yards in width of the fields and common pastures, has long been a matter beyond remedy, though some attempts to fight against it appear to have been made in the time when the

monks of Furness Abbey were lords of the manor. The flooding on part of the east side north of the village is provided against by the Biggar Dyke, which protects the high road to the mainland. It is an embankment formed of the boulders picked up from the shore, the building of which must have been a great undertaking. It consumed all the large boulder stone procurable on this side of the island within the limits of the village. There are also smaller dykes further south, and through these embankments there are three goits or sluices furnished with a cover or trap door at the exit, which close at high water against the tide. These are locally called "panes"—compare the word "counterpanes." There is one through Biggar Dyke to the Green, one at Creephaw Marsh, and another at Wylock Marsh.

BIGGAR VILLAGE FROM THE WEST.

Drawn by the Author.

Another matter, if not peculiar to Walney, was of great value to the inhabitants—namely, the "tangle" or sea weed washed up on the west side of the island. There are indications still to be found on the High Bank (now better known as Biggar Bank) that at one time kelp was burned for potash, but more recently its use has been for manure for the land, and also, as to the lighter parts washed high up and dried by the sun, for fuel.

As in the earlier days, the only other supply of the latter (except driftwood) was peat, led from Kirkby Moor. This was distinctly valuable for the purpose.

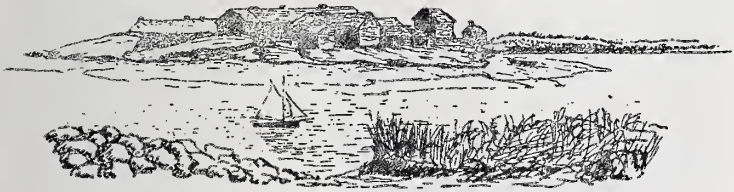
The turf and whin bushes also which grew on the

wastes were, in the absence of a wood supply, useful for fuel, and (after the land was enclosed) for mending the "cops" made of turfs and boulders by which the fields were divided.

In order that the benefit of these natural crops might be equally shared, the west shore of the township was divided into 17 distinct lengths known as "tangle dales," one of which belonged to each of the 16 tenements, there being one over which belonged to the township as a whole.

In like manner the parts of the wastes or unenclosed lands which grew whins were divided into 17 "whin dales," one again being reserved for township uses.

There were two large wastes or unenclosed pastures on the west side of the island divided by arable land into two



BIGGAR VILLAGE FROM THE NORTH-EAST.
Drawn by the Author.

parts, one of which (the Biggar Bank before referred to) was known as the "High Bank" and the other the "Low Bank" and "Cow Leys Bank." There were also several other wastes of smaller size on the east side.

Some of these wastes were common property of the township. An old book given me by the late Mr. J. R. Cragg, whose father was an attorney, and evidently made very careful notes and surveys, has the following entry:—

Laminda Sike reeds belongs to the 4 men yearly and Benth at Benthaw:—Coat Doors and tangle Dales belongs to the town.

Back of Biggar Dyke and Lane betwixt Snab and Lane to Simsed Pot belongs to the town.

All the ground within Wylock Dike inside of Snab belongs to the Town for repairing the said Dike and all Backside of Wilock Dike down to Snab belongs to the Town to Myers Field.

Brunt Riggs Road belongs to all.

On all there was a common right to graze in the winter, but in the summer—*i.e.*, from the 13th May to the 13th November—it was limited to a certain number of "cow-grasses" for each tenement. A cow-grass was the eatage for one cow or two stirks or yearlings, or two cow-grasses could maintain three two-year-olds. The township itself had cow-grass on each bank. The care of the cattle in summer required the services of two herds, one for the High and one for the Low bank. For the Low bank, since almost washed away, the herd was formerly provided with a cottage at Trough Head and a meadow adjoining it, which were township property. This cottage has fallen into the sea within the last 20 years, and the meadow also is almost gone. The herd of the High bank had no cottage, but he had a whittlegait or a right to his meals from each of the 16 tenements in rotation. Since the cottage has gone both herds are treated in the same way.

The township also held other property—namely, another small field (now almost gone) on the west side, and the pinfold and smithy in the village.

The fencing of the southernmost fence of the township adjoining South End was a township duty; its length is about 304 yards, and in 1884 it was divided into 16 lengths of 19 yards each, and in this proportion it is still repaired by the tenant of each farm representing one of the 16 original tenements.

All but one of the tenants of this township had yet another property, which lay altogether outside its boundary. This was a right to cut peats on a part of Kirkby or Angerton Moss in the parish of Kirkby-in-Furness, where each tenement had its peat dale. In order to get the peats home they had a right to cart

them over Sandscale tenement (which is on the mainland opposite to the north end of Walney) down to Cocken Ford over the channel. The carting of peats was a long day's work, the direct journey being ten miles, and having to be regulated by the tides. The course was along the Walney channel on the west side as far as the Cocken ford, then along the sands on the east side to Sandscale, across that promontory and along the sands again to nearly opposite Marsh Grange, and from there by the road to Kirkby. From a note in another old book, which belonged to a former vicar of Walney—"Parson Troughton"—one tenement "had a whin dale at Hillock Whins, which is a very large parcel, instead of turf ground at Angerton Moss." This right of cutting peats has not been exercised for many years, but it has been in living memory; and even since the railway was made peats have sometimes been brought by rail to Barrow. It would not probably be difficult to identify these peat dales. There is a map in Mr. Cragg's old book above referred to which shows them (see p. 190).

It appears therefore that the government of this township provided more than ordinary work for its officers, and for this reason probably it has survived longer unaltered than that of others.

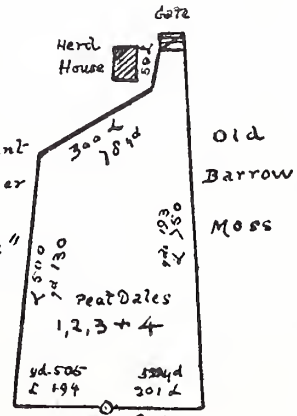
The head of this government was the "grave." He was not elected, but each tenement holder or his representative took the office and responsibility for a year in a regular rotation, which was handed down by tradition and was well known to all. There are lists extant made from time to time in the present town book and in Mr. Cragg's book. The first "grave" of whom a note has been found was William Greenwood, who was in office in 1781.

With the "grave" were associated three other tenement holders known as "pane lookers." This name is locally believed to refer to the fact that their principal duty was to see to the efficiency and repairs of the panes or

W Gap Toping Moss at Herd house

(Note by Mr. Cragg)

"Thos. Fell half of the Holding and James Mount and me the other half but we grave at large"



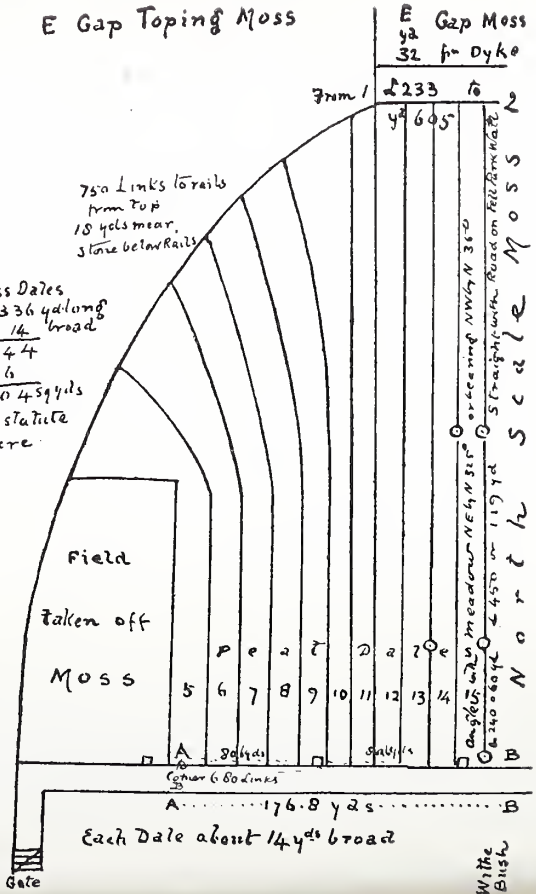
Marsh Grange Moss

Anntiently Little Mill Moss

(note by Mr. Cragg)

"I took these dimensions in May 1804 George Riley shewed me it"

E Gap Toping Moss



flaps of the goits, and to see that any defect was remedied before a tide did irreparable damage. They also were to advise with and see that the "grave" did his work. Any damage to the dykes or panes was a matter for immediate attention, and the "grave" in an emergency could call for two men with horses and carts from each tenement.

The "grave" and the three "pane lookers" were generally referred to as "the four men."

The township meeting is held on or about the 13th of April, which is the beginning of the "frithing" month, or the month when the wastes were cleared for a month before May Day for pasture, and when the herds began their work.

The records are kept in a book which is in the custody of the "grave." Unfortunately the book prior to 1830 was allowed to be destroyed by mice!

The town book in earlier days was presented by the "grave" to the steward of the manor at the annual court held at Dalton Castle, but for the last 15 or 20 years, at any rate, it has never been presented, and there are no recent records of its having been so.

In Mr. Cragg's book in an entry :—

1792 May, Order in Dalton Court.

If any man or vessel that loads any stones of Backside Walney under penalty £1 19s 11d.

1796 (or 1791) May. An Order in Court that no gaps nor roads to be cut in Biggar Dyke any more if they are under penalty of £1 19s.

Likewise if the four men is not returned and sworn under penalty of 10s.

Mr. Richardson Old Park foreman of Jury same time.

At the annual meeting in former days it was decided as to how the cultivation of the riggs or unenclosed arable fields should be arranged, and whether they should plough the rigg to the north or to the south of the hamlet. At present the only lands left open—viz., the Brunt Riggs—are ploughed for five years and grazed for five years.

The first two entries in the town book are as follow, and will suffice as samples of the whole of them :—

1830 Thos. Trainer Woodburn, Grave
The said Thos. Trainer Woodburn for 2 } Painlookers
James Mount
John Heslam
Leonard Gould
Hind to enter at Wm. Riley's, 1d to Wm. Riley
Paid Thos. Postlethwaite for a gate for Cross Dyke 4s 6d

William Riley was probably the outgoing "grave," and this 1d. was the balance of his account.

1831 Thos. Trainer Woodburn, Grave, Wan's Estate
The said Thos. Trainer Woodburn
Richard Fell } Pain lookers
Richd. Spencer
John Heslam
Hind to enter at Richd. Fell's 1 day, 7d due to T. Woodburn
1831 April 11th Towns Field and Tangle Dale let for the term of 3 years at 12s per year, Miles Heslam the taker.

Thomas Trainer Woodburn was the owner of two tenements, and consequently held office two years.

The herd of the high bank was to take his meals at R. Fell's, and then go on each day to the others. In July of the next year, 1832, the 12s. is noted as received from Heslam, and there is an entry of the purchase of a new basket, 10d. This was for the herd, in which to carry out his midday meal. There is also an entry of a new stoop for Cross Dyke, 1s.

From notes in the old books as to various gates opening on the wastes, some were evidently reparable by the owners of particular estates, but others (including Cross Dyke lane gate) belonged to the town.

In 1833 the "grave" has 2s. 2d. in hand, owing to the letting of the field and tangle dale. In 1835 the town field is let at 2s. 6d., and the tangle dale at 7s.

There is not much worth noting in the entries for the next few years. In 1839 Robert Troughton became

grave "for the half estates." One estate had in some way prior to 1790 become divided between two owners, but for town purposes it continued to be treated as one only. In 1839 there is an entry of the letting of a bull grass for 1s. 7d. to Richard Fell, but this was an experiment, and was not repeated. He, however, took the town cow grass at £1 7s.

This year and in 1841 the income for the town for the tangle dale, town field and cow grass was £2 13s. In 1842 the Trough Head cottage and meadow and both the town grasses were let to Dorothy Pedder, farmer, and with the rent of the tangle dales and field the public income rose to the substantial sum of £11 2s.

In 1844 Thomas Tyson is "grave" for the school estate. This estate belongs to trustees for the Green School at Dalton, and is believed to have been purchased by them as trustees of a sum of £220, which was bequeathed to them by the will of Thomas Boulton in 1622.

In 1846 there is an entry:—"paid Wm. Myers for assisting the herd during the frithing month 5s." This, as before explained, was from the 12th April to the 12th May, when the High and Low banks were kept clear of cattle.

In 1848 the value of the cow grasses had risen, and they were now let at £6 1s. The name of Dorothy Pedder disappeared, and John Riley took the land at the same rent.

In this year appears an entry:—[received the sum of] "5s. for holding sports on the High Bank." This is the first entry of this kind in the book, and the date is that when Barrow had just begun to grow. In much earlier times, according to tradition, there were great days when cockfighting and horseracing took place on the Bank and people paid to have stalls for nuts and oranges, but of this there is no written record. This note, however, is interesting as it shows that the tenement holders never had any idea of allowing that the public had any such

rights on the High Bank, beyond a right of way, as were subsequently claimed for them.

The entries for 1851 give no account, and there are none for 1852.

In 1853 occurs the last letting of the town tangledale. Manure and fuel were by this time more easily obtainable, and now any one who cares to collect it takes it where he likes irrespective of boundaries.

At this date occurs in Mr. Cragg's book the following memorandum :—

Thomas Trainer Woodburn James Kendall Thomas Berry John R. Cragg William Storey John Haslam Robert Troughton William Tyson Thomas Tyson agree to give to John Chapman the sum of Two shillings and sixpence per Tenement for killing Moles on their land in Walney and so in proportion for a greater or less quantity than a tenement for each year during the next fourteen years to be paid yearly on the 5th of April. If they are not satisfactorily killed a majority of the above to have a vote to put an end to the contract.

Dated the 27th Decr. 1830.

This entry includes among the names James Kendall and Thomas Berry, who were not tenants at Biggar, but of the tenements of South End, a separate division of the manor. A mole catcher is still always engaged for a term of years.

In 1860 the town field is let for a term of six years.

In 1863 appears an ominous entry :—"Paid herd for overtime 2s." Showing the approach of Barrow and the enlightenment of the working man!

Next year the herd's house at Trough Head had to be repaired by slating the west end of it, and there is an entry "£2 16s 4d slates for the new end of Hi House allowed for." Probably the sea was now getting very near it.

In 1867 is an entry:—"John Haslam hung Thorn Hook Gate for Half Estate." This gate was a most important one, as it kept the cattle on the green close to the houses, and was reparable not by the township, but by each tenement holder in turn.

The gates reparable by the township were Bent How gate, Cow Head gate, and Cross Dyke Lane gate; Mawflat Lane gate was reparable by two tenements, Fisher's and Richardson's, and Carr Lane gate by two, Greenwood's and Fell's.

In 1869 is the first entry of a payment of money to the herd:—"£2 5s. Dog 5s." "Paid J. R. Cragg for game £3." There was a new arrangement for the herd, and the first entry of a shooting rent.

In 1874 occurs the entry:—"recd of Thomas Picthall 8s for right of way 4s for old House and 4s for New House." These houses, one of which was a beer house, were built in a field which abutted on a part of the Biggar Marsh to the north. The access to the field had been by gates at the east and west ends; consequently the new access was by trespass over the waste, and the "grave" thus asserted the rights of the township.

Thomas Sutcliffe Dawson bought a further part of the same field, and erected a public house (since destroyed by fire and never rebuilt), and for this he paid 8s. The "grave" when giving receipts for this sum "gave Mr. Dawson leave to hold pigeon shooting on Biggar Bank on New Year's Day, January 1st, 1877, by paying the sum of 1s.," and on January 6th he makes the following memorandum, which is now interesting:—

By Agreement entered into this day,

January 6th, 1877,

Between Thomas S. Dawson of Tummerhill and John Richardson Cragg of Biggar, the said Thomas S. Dawson have the privelege and use of Biggar Bank for the Golf Club upon payment of the sum of One pound for a term to expire April 1st, 1877.

In 1877 is "red from T. S. Dawson the sum of £1 6s.; 16s. for right of way and 10s. for Biggar Bank for Good Friday and Easter Monday."

In 1878, after some attempts were made by agitators to set up rights to the High Bank or Biggar Bank as a public

place, the tenement holders divided it into 16 parts, and fenced it off with rails. Some rioting took place, during which these fences and the gates were broken down. The Corporation of Barrow then induced the owners of the 16 tenements to sell it to them for the very moderate sum of £1500. Though it has been a most fortunate thing for the Barrow public, and perhaps in the long run for the landowners, it was at the time a very bad bargain for the latter as they lost their best cow pasture. The public, however, have secured one of the finest pleasure grounds in England, and botanists a most interesting natural garden. The futility, however, of the argument as to its being in any way a public space is shown by the fact that there was living at the time of the sale a man named John Haslam, then at the age of about 90, who had himself in 1805 worked at the enclosure of the adjoining fields known now as Carrs which, prior to that time, had been part of the common pasture, and were enclosed when wheat was at a very high price. The township lost from this date the rents of Picthall and Dawson and the rent of cow grasses, altogether a sum of £6 a year, for which it got no compensation. In order probably to recoup their losses the smithy was let for the first time in 1879 at £1, and continued to be let for that or smaller sums. Also a rent of 10s. was obtained for Biggar Dyke—*i.e.*, the pasture of the wastes within the dyke, which was township land. Expenses now increased; the herd had 5s. for a bed as well as 5s. for his dog, and he got a new basket.

In 1883 the first tenement was enfranchised, and sold by auction in lots. The undivided sixteenth part of the wastes and pastures was put up and sold as one lot, and was separated from the rest of the tenement. Up to the present time, however, the tenant of the house belonging to the tenement has always rented the cow grasses, and it has made no difference as to the government of the township.

The house at Trough Head about this time became

uninhabitable and had to be abandoned, but the meadow was let alone at £2 2s.

In 1885 is the entry "Paid Herds Coat" as well as wages, bed, and dog; and there is the first entry of paid rates, the Corporation having for the first time assessed the township land apart from the farms.

In 1885 are charges for mole and rat-catching.

In 1888 the meadow was not let, but the hay sold for £5, and manure for £2 10s., probably tangle.

In 1893 "Lying Poison" for rats is paid for by several persons, 6s. 8d. in all.

In 1895 the smithy and meadow were still let, but the income is now reduced to £4 10s., and as both herds have to be paid, "Herd Benson and Herd Wilson £2 5s. each, with two dogs and two beds," and, with repairs to the pinfold rails, the "grave" is 2d. out of pocket!

The town book has been kept up to the present day, though since a copy was made of it in 1895 it has lost one of its backs, and with it the record of three years; but there are fewer entries, and those merely records of the appointments of the "grave" and "pane lookers," who now, it may be observed, are called "plain lookers," following an old misspelling.

It is interesting to note from this little record of Home Rule the way in which common interests have throughout various changes of tenants and ownership conduced to the keeping up of old customs and the performance of duties long after there ceased to be any power to enforce them.

One tenement, quite two centuries ago, became vested in trustees; another for some reason ceased to include a house; another was split up into halves; and latterly, all but two have been enfranchised, and parts of several have been sold off.

Judging from the varying names of the tenants in the lists which have come down to us, the tenements in former times seem also to have frequently changed hands, and about the beginning of last century, when wheat was dear,

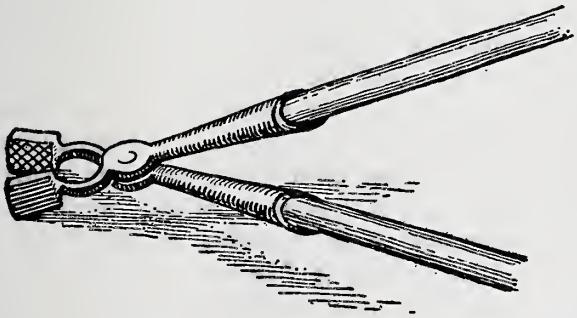
several were sold for large prices. Finally, several of the recent tenants have been "off-comes," as they are called by the older inhabitants—that is, imported from the mainland. If one among them had declined to accept the duties of "grave" or "pane looker" in his turn, it would have thrown the whole system out of gear, but they have all so far without friction fallen in with the ways of the place.

North and South Vickerstown have in the last five or six years been built up on the island. Building operations are commencing at Tummerhill on the land abutting on Biggar Bank, and in all probability in the not-far-distant future the whole aspect of the island will be changed.

ART. XIII.—*The Luking-tongs: their Meaning and Use.* By Miss M. L. ARMITT.

Communicated at Carlisle, September 8th, 1910.

THE accompanying illustration shows a pair of luking-tongs, an implement once in constant use, but now obsolete. It embodies also a dialect word of distinction and interest, likewise obsolete, which, through an unfortunate coincidence in spelling with the common word look=to see, is often passed over without recognition, like a face beneath a mask. This word was a familiar expression until recent times in the districts that were originally settled by Danes or Norsemen.



The Rev. T. Ellwood, in his glossary *Lakeland and Iceland* (1895), gives it thus:—

> *Look.* To pluck out weeds from among the corn, generally performed by an instrument called looking-tongs . . . Danish, *luge*=to weed an orchard.

The Rev. M. C. F. Morris, in *Nunburnholme*, tells us that in the Wold country those who weed the corn are

said to be *lukin'*, the work *lûk* being derived from an Icelandic root *lok*=a weed, its equivalent being found in the modern Danish *luge*=to weed.

The Rev. J. C. Atkinson, in his Cleveland Glossary, has it "look=to pick the weed from among the growing corn."

Dr. Prevost's edition of Dickinson's Glossary gives "Look, C., N., E.; Lowk, SW.=to weed corn."

Dr. Wright's Dialect Dictionary, under the heading "Lowk," notes that the word, meaning "to weed, especially to weed corn," is used in Northumberland, Durham, Lakeland, Yorkshire, Lancashire, Cheshire, Staffordshire, Lincolnshire, and Worcestershire; and a derivation is suggested from O.E. *lucan*, to pull up; Low German and East Frisian *luken*, to pull up weeds. The look-crook, lowkers (pincers), and looking-tongs are mentioned.

The word and its variants occur often in old papers and account books. A few references to these will be sufficient. The Rydal Hall year book of husbandry (called the "Setting-book") shows an entry in 1697 of 6s. 8d. paid "to the corn-lookers." In the great Rydal account book, too, payments are made to women from 1657 onwards for "looking in ye garden." A most interesting allied word has turned up in a deed of 1575, which concerns the letting of the precincts of the old Rydal Hall. Among other enclosures specified is the *lookegarth*, or garden. Again there is *Lok-howe*, a fifteenth century place-name, which may possibly be referred to the same derivation, for it occurs near Calgarth, the farmstead and clearing in the lord's deer forest, which once extended from Kendal to Ambleside.*

A pithy saying of the folk, expressive of extreme contempt, recalls the old implement. It is given by Mr. William Satterthwaite in the dialect of the Esthwaite valley, which differs greatly (he says) from that of West-

* Min. Acc., Henry VII., 877, m. 1, d.

morland in pronunciation, the *oo* sound often becoming as soon as it crosses the Brathay *ow*:—"Ah wouldent tak hod on him wi' a par o' lowkin' tangs."

Enquiry after this implement at first met with no success. An old Westmorland man could describe it, and stated that it had been formerly used, about June time, for clearing the corn field from weeds, and more especially from thistles, as these were apt to lacerate the hand of the reaper the while he swung the sickle. Cutting machines had put it out of use; finally he doubted if one could now be found. He spoke of it as a "gripe," but by birth he belonged to the Appleby division of the county.

An opportune visit to old-world Furness, where fertile fields of corn stretch above the great bay, brought success to the quest. No need to explain to Mr. James Wood of Sunbrick the meaning of *lowking-tongs*; he had a pair on the premises, and a little search in dark corners of outhouses produced it.

This gift furthered talk. A middle-aged native of Bardsea said he had used the tongs till he was about 26 years old, "but farming was all changed now." He ascertained that some half-dozen pairs still lay at one farm in the village.

As an illustration of the narrow geographical limits of dialect words that result from racial settlement, it may be mentioned that Burns knew the implement as "weeder-clips." See his versified "Epistle to Mrs. Scott."

The luking-tongs consist of a pair of irons fastened crosswise by a pivot at three inches from the tips. They are lengthened by a pair of wooden handles, measuring together 41½ ins.—a length which brings them well up to a man's elbow. When closed, the handle ends are 18 ins. apart. The iron tips are flattened into small square plates of one inch, which are grooved or patterned inside, and this irregularity of surface prevents the weed from slipping as the worker wrenches it from the ground.

ART. XIV.—*Shap Registers.* By Miss NOBLE.

Communicated at Carlisle, September 8th, 1910.

THE parish of Shap is a very wide one, and has the distinction of comprising within its area the highest hamlet in England, that of Hardendale, from which it extends in an unbroken line of common to the top of High Street. One side of Wet Sleddale, Mosedale, and Mardale are within the bounds of the ancient royal forest of Thornthwaite. Through this two roads join at the top of Long Sleddale, one over Gatescarth from Mardale and one from Shap, which is joined at Mosedale by one from Swindale. Until the control of the roads passed from the villagers into the hands of the District Councils, these roads were kept in passable repair by Shap ratepayers, but they are now sadly in need of attention. The gradients would prevent their being used for general traffic, but a little repair each year would keep them passable for carts and also keep them open for the public access to very fine mountain scenery from which in some districts there seems a fear of their being excluded. Will not the District Councils attend to what are indubitably ancient highways?

There seem to have been chapels in Mardale and Swindale from an early period, but the registers were all kept at Shap. The great north road from the south to Scotland passes through the town, accounting for many entries of soldiers and others not properly belonging to the locality. The registers disclose the fact that an officer of Excise was stationed in the town.

We also find that the abbey was still occupied at an early period after the dissolution. At one time three distinct families are registered as living there, including a Wharton and an English.

The old word "bedlamer" is frequently used to describe an imbecile.

Many of the families, who received pensions when the monks were turned out, continued to live in the locality, and some are still to be found. Of these, and others whose names are recorded throughout, are Aray, Lowis, Robinson, Castley, Docker, Powley, Noble, Sanderson, &c. That Shap was never a wealthy place is seen from the State Papers (Border Series), where the numbers of men liable for border service against the Scots with their arms are given. It is remarkable that in Barton, Askham, Lowther, Bampton, and Clifton the names of these men or of their representatives liable to provide a substitute are mentioned, and thus we have a fair idea of "who was who" at the period. In Shap, Overton, Crosby Ravensworth, &c., no names are to be found. The numbers in Shap were:—"Horsemen with nags and bows furnished, 18. Same unfurnished, 11. With nags and bills furnished, 5. Footmen with bows unfurnished 25, with bills unfurnished 53, without all furniture 4." A good many Bampton people are included under "Helton Flechane," but the names mentioned as of Bampton itself and their localities are:—"29 furnyshed with nagges and bowes, 8 with nagges and bylles, and 2 with nagges and speres, 51 footemen with bowes, and 50 footemen with bylles," so that practically all were armed in some way. This muster was taken

Within the west and mydle Wardes of the County of Westmerlande before us John Mydleton, Lancelot Pickeringe, Richard Dudley, and John Rigg Esquires, by vertue of Commission to us directed from the Right Hon: the Lord Scroope, Lord Warden of the West Marches of England forenenste Scotland, the 10th of February in the xxiij yeare of the reigne of our Sovereigne Ladye Elizabeth, &c.

There are few notes in these registers, though one or two are interesting:—

The night between the sixth and seventh of this Inst (October, 1756)

was the highest wind ever known in the memory of man which did very great damage all over this country.

1596 The 6th day Randall Brockbank Reder at Mardall son to Sir John Brockbank vicar of this pish of Shappe (died).

1604 Nov 18 James Washington son to Randall Washington now dwelling at Threaplands in Crosby Ravensworth.

1707 Anne daughter of Mr Edward Thompson her Majesty's officer of Excise and Anne his wife born at the Vicarage 21st day of March was baptized the 24th day of April 1707 by T. Wearing vicar of Bampton. [She was born in Mr. Dalton's house, which during his time and for some time after was called the vicarage, and not in the ancient vicarage.]

July 18 1596 Agnes Holme daughter of Robert layt Reder of Mrdall.

There are numerous Salkeld entries prior to 1600, and a good many Whartons are recorded. "Mayster Rychard" had nine children; then his wife died, and he married again, as another child is baptised in 1619. He lived at the abbey, and so apparently did a John English at the same time. In 1590 Thomas Wharton of Kendal married Isabel Sharparrowe. In 1595 Mr. Thomas Warkupp and Mistress Francis Wharton of Cowbye were married; in 1598 Randall Washington and Elizabeth Wharton, &c.

The first volume is fragmentary, beginning in the middle of what is by inference the year 1558, as the next year given is 1559. It ends in 1620, and then follows a gap of 42 years, and as there is no cover it is probable many pages at each end of the original volume are missing. I was able to fill up one or two years missing at a later period from the diocesan abstracts, showing that some sort of record must have existed.

The names are, many of them, unusual. We have Sharparrow, Lickbarrow, Brammowe, Growbye, Clawcell, and Bowete; and the territorial ones of Sleddale, Naddale, Meason, Morland, Sulbye, Whinfell, Hucke, Westgarth, Coptwhaite, Thwaites, Barwick (often spelt Berwick), Kendall, Bowness, Torvil, Warcupp, and Cloudesdale. Of place-names there are Burlandmore,

Burnandmore, Righole, Rigghead, Longrigge, Skaryat, Girnes, Fuddrigbank, Goatbuy, Hundest, The Wray, and Stoodranke.

A few notes from various State Papers, giving a little early insight in the affairs of the abbey and neighbourhood are, I think, worth adding. We find in *Magna Britannia* that

Robert de Vipont a Parliamentary Baron and a person much in favour with King John was lord of the town as part of the Barony of Appleby and it seems on some occasion laid up his arms (for he was a very warlike person) in the Abbey of Hep. He died indebted to King Hen 3 Reg 12 in the sum of 1997l 11s 6d, five great horses, and five tun of wine; whereupon the King after his death, sent his precept to the Abbot of Hep, to deliver up all the arms belonging to the said Robert which were in his custody, to his bailiff to be kept in his Castles.

Nicolson and Burn tell us that whilst the manor of Shap belonged to Shap Abbey, the manor of Hardendale and Wastdale belonged to Byland Abbey in Yorkshire.

Thomas son of Gospatrick gave some lands in Shap to this Abbey and possibly he gave Hardendale and Wasdale also. After the dissolution Henry 8th in the 35th year of his reign granted to Christopher Crackenthorp of Newbiggin Esquire and his heirs (in whose family it still remains, 1910) the manor of Hardendale and Wastdale, otherwise Hardenesdale together with all the messuages, tenements and hereditaments in the tenure and possession of Thomas Sanderson, Michael Sanderson, John Kytchyn, Henry Coperthwaite, William Kytchyn, John Sanderson, William Lowes, William Atkynson, Thomas Robinson, Christopher Winter, Simon Lykbarry, John Lykbarry, Michael Pullo, Richard Washington, Thomas Byrkhead, Edward Lowther, and Miles Howe, lying and being in Hardendale and Wasdale, together with all knights fees, escheats, reliefs, heriots, court leet, and view of frank pledge, assize of bread, beer, and ale, waifs, estrays, free warren, and all other rights in Hardendale Wasdalefoot and Wasdalehead, paying to the King his heirs and successors 16s yearly into the court of augmentation.

All these names are to be found in the register, and several are still represented in Shap. The way in which these monks gradually enriched themselves is seen in some of the following extracts from the Patent Rolls:—

1289. Licence for the alienation in mortmain to the Abbot and convent of Heppe by Nicholas de Arturett of a messuage and 20 acres of land in Renegill, by Roland de Paton of two messuages and 15 acres of land there, and by Robert de Wintonia of a messuage and 12 acres of land there of their own fee.

1290. Licence for the alienation in mortmain by Isabella late wife of Roger de Clifford the younger to the abbot and convent of Heppe of the advowson of the church of Warchcopp.

1295. Protection to the abbot of Heppe [amongst others] who granted to the King one tenth in aid of the Holy Land.

1329, Nov. 16th. Pardon to Gilbert de Colwen for departing the realm in the time of the layt King and adhering to his enemies the Scots and restitution to him of the lands which he held in Shap Westmorland.

The Rev. F. W. Ragg has kindly given me some further particulars of notes he took in an inquisition of 1336 (10 Edward III.). The king orders his escheator to enquire whether it would be prejudicial to him or to any one else if he gave leave to Gilbert, son of Gilbert de Culewen, to grant to the abbot and convent of Hepp the five acres of land and 15 acres of waste in Hepp which Edith, widow of Gilbert, held for life, after her death, and the jury say no one would be hurt by it. Edith died in 1352, and the inquisition after her death says she held 10 messuages, and 20 bovates of land in Shap and one-eighth of the manor of Bampton Patrick for life.

Then in 1357 (30 Edward III.) an inquisition was held to settle "whether, if the king permitted Gilbert de Culewenne to exchange his manor of Shapp with the abbey for one-fourth of the manor of Bampton Patrick which the abbey held, it would be prejudicial to anybody, and the jury say it would not, and the exchange no doubt was made." It seems not improbable that the cross formerly standing on Knipe Moor marked the boundary of this exchange.

The Culwens seem to have inclined favourably towards the Scots, as it might be politic to do at that period. Mr. Ragg mentions another, John of Preston Patrick, who was

in trouble on this account in the early part of the reign of Edward III.

1380, June 22. Grant to the mayor and burgesses of Appelbye in compassion of their impoverishment by pestilence, by removals, and by the wars with Scotland, of a moiety of the profit pertaining to the King from forfeitures incurred by merchants and others carrying their goods from thence to Kyrkeby Stephen, Overton, Crosby ravenswarth, Banton, Shapp, and Morland, and selling them upon the Sundays in the churchyards and elsewhere as found upon enquiry by Roger de Clifford Knight, Hugh de Louther Knight, Thomas de Sandford, William de Lancastre, and Henry de Threlkeld, justices appointed by the King in the county of Westmorland.

In 1381 is a similar notice with the additional words:—

That divers merchants take their goods from the town of Appelby (held at fee farm by the burgesses) and without licence.

1382, Oct. 28. Licence for the alienation in mortmain by John del Ryg of four messuages and five acres of land, four of meadow, and 12 of pasture in Shap and Slegill not held in chief of the yearly value of 7s as appears by inquisition of Gilbert de Culwen escheator of the county of Westmorland to the abbot and convent of Heppe in part satisfaction viz. 36s 8d yearly of lands to the value of 10l which they had licence by letters patent of Edward 2nd to acquire in mortmain.

There are various other notices referring to this, with the addition "Expectant on the demise of Eda, late wife of Gilbert."

The next entry deals with what must have been a serious breach of the law:—1394, June 25. Pardon to John Patrickson indicted (with his brother) for various thefts, also for "burning the house of Robert, abbot of Hepp, at Shap on Monday after St Lawrence in the tenth year." Later, the brother also was pardoned.

On March 8th, 1653, John Jackson begs leave to prove before the County Committee the incumbrances on his estate for which he wishes to compound, granted; on July 12th, begs to compound on survey of his estate, which is in the last act of sale. August 12th, fine at two-

sixths, £50 7s. 6d. September 2nd, paid and estate discharged (*State Papers*, Green's Domestic Series). This John Jackson is amongst the list of delinquents and papists in Westmorland sent by the County Committee for compounding—"list of 46 del and P" in Westmorland whose estates are under sequestration, 22 of whom are named in the list of April 13th, 1648. He was connected with the Salkelds, as we find in 1581 "Francis Salkeld of Grange and Margaret Jackson of this parish were married." There seems a probability that one of his wives (he had three) was a Salkeld, as their property at Stanegarth came to the Jacksons. He also appears to have been the father of the noted schoolmasters, Richard Jackson of Appleby and Thomas Jackson of Bampton. His pardon, with the royal seal affixed, is in Latin, most beautifully engrossed, and is in the possession of one of his descendants in Bampton.

Art. XV.—*A Find of Roman Coins near Brougham Castle.* By the Rev. A. J. Heelis, M.A.

Read at Carlisle, September 8th, 1910.

On August 20th, 1910, during digging operations at Brougham Castle farm, preparatory to the erection of a Dutch barn, a number of coins were brought to light. These lay together close to the foundations of an ancient wall, the course of which is north-eastward from the old Roman camp, the point at which the coins were found being about 100 yards from the vallum.

Along with the coins were bones, which crumbled on exposure. A human tooth was found. The wall was unearthed to its foundations at two points. At the second bones were seen, but no coins. These bones were clearly those of a horse.

Without further investigation, it is idle to conjecture the purpose of the wall, though it is clearly of Roman origin.

The coins are more numerous than one would expect to find placed with a single corpse at an ordinary burial, else one would be drawn towards the conclusion that the wall formed the boundary of the graveyard in connection with the Roman camp. Hitherto it has been held that such a graveyard existed near the Countess' Pillar, distant about a quarter of a mile, close to which the fragments of a Roman tombstone may be seen embedded in a fence wall.

At the same time the fact that the coins were found beneath two sandstone slabs, which the workmen at first supposed to be the covering of a conduit, seems to uphold the idea of a grave. A possible explanation is that the coins were secreted in a previously existing tomb.

So far as they can be deciphered, the whole of the coins, probably about 500 in number, must have been struck within a period of 20 years.

The least ancient are those of Tetricus II., who reigned from A.D. 267 to 272 or 273. Thus the coins may have rested in the place where they were found for fully 1640 years.

They are of debased coinage, and in some cases show traces of having been plated with tin.

Part have been deciphered by Colonel Edwin Jackson as follows :—

VALERIANUS, A.D. 253-260.

1.—Ob. Head of Emperor. IMP . C . LIC . VALERIANUS . AUG .
R. FIDES MILITUM. Figure of Faith.

2.—Ob. As 1.
R. VIRTUS . AUGG. Figure of Valour for Mars, holding spear and shield.

3.—Ob. IMP . VALERIANUS . V . S.

POSTUMUS, A.D. 258-267.

4.—Ob. IMP . POSTUMUS PF . AUGG.
R. Ceres standing with scales and cornucopia. MONETA.

5.—Same as 4.

6.—Ob. Same as 4 and 5.
R. Figure holding torch (?).

7.—Ob. As last three.
R. Armed figure holding orb. SAECULARES AUG.

8.—Ob. Same.
R. Figure holding scales. MONETA.

TETRICUS I. AND II., A.D. 267-273.

9.—TETRICUS I. Ob. Head and titles. R . M . T . N and palm.

10.—A minimus. TETRICUS.

11.—TETRICUS II. A minimus.

12-16.—TETRICUS II. Five coins struck at local mints, Gaulish or British, and almost undecipherable.

17-23.—Seven coins quite undecipherable, including five minimi.

The remaining coins in hand are 127 minimi in poor condition. Of the numerous coins in private possession, some are known to be coins of Postumus.

The coins which have been secured will be handed over to Lord Hothfield, owner of the property and lord of the manor.

Two of the coins were sent to our vice-president, Professor Haverfield, who kindly wrote in reply:—"I do not think there is much doubt about the coins. I looked at them myself and showed them to Oman—our best Roman numismatist in Oxford—and we agreed, independently, about them. The smaller coin is a rude 'minim' of the Tetricus type; you can just detect the likeness to T on it. The larger piece—the very yellow bronze—is a ruder issue of the period of the Thirty Tyrants (within which Tetricus of course falls): which particular Tyrant it aspired to represent, I am not clear, nor is Oman. Both pieces belong probably to the third quarter of the third century: that is, they are ruder forms of the current coinage of the day. Similar pieces of this kind are not uncommon. There has been a tendency in some quarters to consider them later than the coinage which they reproduce, and to put them into the fifth century. This, however, is not at all a likely view. Oman remarks to me that he has never met these issues in association with copper of Theodosius or Honorius, &c."

Art. XVI.—*The Kaber Rigg Plot, 1663.* By Francis Nicholson, F.Z.S.

It is a moot point whether the plot of 1663, of which the Westmorland portion was called the Kaber Rigg Plot, or Atkinson's Rebellion, was anything more than a plot fomented by agents of the Government in order to cast further discredit on the Parliamentary party which had so recently been ousted from power.

Robert Atkinson, the chief of the Westmorland plotters, was an old soldier of the Parliamentary army. He had been a captain of horse and governor of Appleby Castle, and during the Commonwealth was "active in securing the king's friends, and popular with the Commons by managing their suit against the Countess of Pembroke" (*Calendar of State Papers, Domestic*, 1663-4, p. 539).

In 1663 Atkinson was living on his own estate in Mallerstang, and enjoyed the confidence of his nonconformist neighbours. This confidence he abused by acting as the secret "intelligence" or spy of Sir Philip Musgrave (*Ibid.*, 1663-4, p. 539; 1664, p. 443), the leading royalist and churchman in the district.

It does not add to our respect for Atkinson that in his character of "intelligence" he was unfaithful to his paymasters. This man, old soldier of the Commonwealth, Government spy, and unfaithful as that, was the leader of the Kaber Rigg rebellion.

The plot began in the South of England, but attained its greatest development in Yorkshire, and it was in that county that the Westmorland plot was hatched.*

* Its history can be traced throughout from the evidence of the plotters (especially of Captain Atkinson himself), from the letters of Sir Philip Musgrave and Sir Daniel Fleming addressed to Sir Joseph Williamson, a Westmorland man, and from other sources. These are to be found in the *Calendar of State Papers, Domestic*, the *Depositions from York Castle* (Surtees Society), and the *MSS. of S. H. le Fleming, Esq., of Rydal Hall* (Historical Manuscripts Commission, 12th Report, App. 7).

According to Captain Atkinson the plot was set on foot in February, 1662-3, and he first heard of it from Richard Richardson (*Ibid.*, 1663-4, p. 485). In April, 1663, he was requested by Captain Spenser and Sergeant Richardson "to assist for Westmorland in a plot laid so universally in the three kingdoms that though the king knew of it he could not prevent it." Atkinson objected to join because the king, having control of the militia, could put the revolt down, and because the governments had been so bad from Cromwell's death to the king's return. Eventually, on being informed that all the army officers, many of the gentry, and the Quakers were in the plot, his objections were overcome, and he consented to command 100 or 120 horse if they were provided for him, but he would not undertake "to persuade any, nor to take any part in raising the force" (*Ibid.*, p. 592).

The plotters, of whom the chief were Lieut.-Colonel Mason; Edward Richardson, D.D., of Leyden, previously of Ripon; John Joplin, once gaoler of Durham; John Atkinson of Askrigg, the stockinger, and Paul Hobson, met at several places in Yorkshire—at the Spa or at the Wells in Harrogate, at Leeds (*Ibid.*, pp. 485, 576, 392), at Bradford, and it was at a meeting near the last place that a general rising was agreed on (*Ibid.*, p. 540). The hopes of success were based on very sanguine reports, from various quarters, of the forces, which only waited the word to turn out in thousands. They were to meet and beat the Duke of Buckingham and his men, and then advance on London. It was expected that when the northern rebels marched on London they would be joined by 7000 men and 500 watermen, and wholesale desertions from the king's army were spoken of as being certain (*Ibid.*, pp. 352, 485).

The declared objects of the rising were to force the king to perform the promises he had made at Breda, to grant liberty of conscience to all except Romanists, to take away excise, chimney money, and all taxes, and to

restore a gospel magistracy and ministry. The plotters had sworn to be secret, and to destroy without mercy all who opposed them, especially the Dukes of Albemarle and Buckingham. They were to take Hull and Appleby Castle. Carlisle, where they had great intelligence (*i.e.*, many sympathisers) among the soldiers (*Ibid.*, p. 352), was, so they believed, to have its gates opened to them without bloodshed (*Ibid.*, p. 540), Captain Studholme, a person in authority there, being stated to be in the plot (*Ibid.*, pp. 347, 368).

Several great men were supposed by the plotters to be secret sympathisers, amongst them being Lord Fairfax, the Earl of Manchester (Lord Chamberlain), Sir John Lawson, and Lord Wharton (*Ibid.*,, pp. 352, 540).

The plot was being incubated for several months, and Atkinson and his colleagues seem to have spent considerable time in discussing the preliminaries. Soon after Whitsuntide, Atkinson was at Henry Bourne's house in Pannall (Harrogate), remaining at the Spa until July, when Joplin and others met him at Stank House (*Ibid.*, p. 486).

According to his own confession, Captain Atkinson "was August following in David Lumbye's house, and with Edw. Wilkinson, Sim Butler, and severall agitators from Nottinghamshire and other Southren countyes, debated the conspiracy and agreed to meet in greater numbers the Tuesday sevenight following at the house of William Cotton in Leeds. Being returned into Westmoreland he sent a tall black man with instructions to a meeting where Marshden, Butler, Leeming, J. Atkinson, and divers Southern agitators convened. And after that receyved letters sent from the close Committy at London by the hands of Christopher Dawson of Leedes" (State Papers, Domestic, Charles II., vol. 93, n. 11).

The Government had in the meanwhile become aware of what was going on, assuming that it did not know of the plot before it began. In August, 1663, Sir Philip

Musgrave sent word to his brother deputy lieutenants, Alan Bellingham and Daniel Fleming, that he had received a letter from Secretary Bennet written in haste. "The letter," says Sir Philip, "states that the king has knowledge of a fanatical design in hand, of which the scene will first appear in the northern parts. He desires me to have a special care to prevent and punish unlawful meetings, and to secure dangerous persons. The deputy lieutenants hereabouts have given orders to secure several persons in both counties, and have resolved to call the foot companies to be exercised, one every week beginning in Cumberland. It is desired that you should secure or at least confine to their houses the two Archers, and such other persons as you consider dangerous" (*Fleming MSS.*, p. 31).

This was apparently the time when Captain Atkinson was put under surveillance (*Calendar of State Papers, Domestic*, 1663-4, p. 322, 622). He was first detained at his own house for six days; then he was placed in the custody of Hugh Atkinson, and was about to be examined as to his knowledge of the plot when it was discovered that he had escaped. He lurked in the dales, probably not far from home, until the time fixed by the plotters for the general rising—originally October 8th (*Depositions from York*, p. 104), afterwards altered to October 12th.

On the night of October 12th the Kaber Rigg rebellion began and ended.

Captain Atkinson had but a small following when he left his home at Mallerstang. He was riding a white or grey horse, and had a case of pistols and a sword (*Ibid.*, pp. 103-105). At the Scotch alehouse in Ravenstonedale, according to one witness, or "coming to Smardale Bridge," the rebels were met at 10 o'clock in the night by Goodlad and Petty, by which accession of force the party had grown to about a dozen. Captain Atkinson gave the word "God be with us," and the party proceeded (*Ibid.*, p. 105).

The rebels numbered "30 or above" late at night when John Waterson of Great Musgrave, going home from Kirkby Stephen, met them. Waterson was requested to join the party, which he did, and "enquiringe concerning the matter," was told by Captain Waller "that Fairfax would be up in armes that night, and that they weare up in Scotland and in Cumberland and throughout all Englande. And that there was a hatter in Ravenstonedale who said he neaver took up arms in his life, yet in this designe would venture as freely as any of the old soldiers, and had kept a hors for that purpose two months and had armes with him." Each man of the rebels had a horse, and some were armed with pistols and others were without arms. Waterson was told that "there wer 14 case of pistolls at Will Goodlad's barne, and some at Capt. Atkinson's." When the party got to "Birkay beyond Kaber Rigg," or "Birka near Duckintree not far from Kaber," Captain Atkinson and Captain Waller dismissed them, giving no reasons, but informing the men that having done no harm in the country they might return home and not be known. It appears that Captain Atkinson's intention had been to march into Durham, taking on his way the Excise money which was in the hands of the Clerk of the Peace at Appleby (*Calendar of State Papers, Domestic*, 1663-4, p. 347; *Depositions from York*, p. 105), but being disappointed by the non-arrival of a contingent from Kendal, he decided to disband his tiny force. According to one witness a few of the rebels "appeared very unwilling" to obey the captain's order, "protesting they would goe on, and did accordingly march to Birka, where they drew upp, and then dissolved" (*Depositions from York*, p. 107). Thus ended the Kaber Rigg rebellion.

The rebels having disbanded, the serious part of the plot began. On October 26th Sir Philip Musgrave wrote to Williamson that he had traced the plotters in Westmorland on October 12th to their meeting place (*Calendar*

of State Papers, Domestic, 1663-4, p. 315), and in the same letter he informed his correspondent that some of the plotters were then in Appleby Gaol, and that Captain Atkinson, "their principal man, formerly a pretended intelligencer," was secured. Only a few days later Captain Atkinson was again at liberty, having escaped from Appleby Gaol, which was "full and weak" (*Ibid.*, p. 332), and on November 9th Musgrave reported that Atkinson had "given out to his friends that if he can but get together 20 horses, he will attempt the gaol of Appleby, and take revenge on some particular gentlemen" (*Fleming MSS.*, p. 31).

The old soldier, in spite of his recent failure at Kaber Rigg, and the fact that he was then "skulking in or near Westmorland," * had not lost the soldierly habit of bragging, and the Musgraves treated his bragging seriously. Christopher Musgrave informed Williamson that "Captain Atkinson, who escaped from Appleby Gaol, is trying to raise a party to attack the gaol and liberate the other prisoners." The magistrates and deputy lieutenants were in alarm, because they knew that the trained bands were not ready for active service. Two or three months earlier they were supposed to be in training (*Fleming MSS.*, p. 31), but in November Sir Philip Musgrave confessed that some companies had no arms, others no commissioned officers, and others had to learn the use of their arms (*Calendar of State Papers, Domestic*, 1663-4, p. 332).

No wonder that the deputy lieutenants preferred to trust to volunteers for the maintenance of order and the defence of Appleby gaol against Atkinson and his men (*Fleming MSS.*, p. 31). The deputy lieutenants in Westmorland, aware that "the trained bands could not be suddenly got together, sent privately to their friends, and 50 volunteer horse, well armed, and some foot soon came

* At this time one of the Atkinson's, probably the stockinger, was lurking disguised in the Bishopric (*Calendar of State Papers, Domestic*, 1663-4, p. 331).

in, and took much pains to search and oppose the plot" (*Calendar of State Papers*, 1663-4, p. 332).

On November 10th the Government issued a proclamation for the apprehension of Richard Oldred (also called Oldroyd) and others for having traitorously attempted to embroil the kingdom in plots and conspiracies. There occur in the proclamation (State Papers, Domestic, Proclamations, vol. ii., p. 156) the names of only two persons connected with Westmorland—namely, Captain Atkinson and "Jeremy Marshden of Hughall," who, under his proper name of Marsden, had been a minister in Kendal in the time of the Commonwealth. Meanwhile Sir Philip Musgrave, entirely neglecting "his own affairs to labour in the king's service," was examining the prisoners and endeavouring to obtain full information about the plot (*Calendar of State Papers, Domestic*, p. 336), and Daniel Fleming (*Ibid.*, p. 340) was equally active, having raised the trained bands, and kept strict duty at Kendal apparently for three days, till the design of attacking Appleby Gaol was quashed. He also arrested twenty suspected persons —former officers against the king, ejected ministers, and leading Quakers—and made each of them find bond for good behaviour, excepting Captain French,* who was sent to Penrith at the request of Sir Philip Musgrave (*Fleming MSS.*, p. 31), and Wallis, an ejected minister, sent prisoner to Appleby for three months, on the late Act of Uniformity (*Calendar of State Papers, Domestic*, 1663-4, p. 340).

After these vigorous measures, Fleming opined that "if mischief arises now, it will be from non-licensed ministers or from Quakers, of whom there are too many in the part of the county joining to Lancashire, where George Fox and most of his cubs have been long kennelled" (*Ibid.*, p. 340).

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* Captain French, an ex-Parliamentary officer, was doubtless the person who was commemorated by "Captain French Lane" in Kendal (C. Nicholson's *Annals*, p. 146).

Sir Philip Musgrave still kept guards over the prisoners, some of whom were at Appleby, while others had been removed, for greater security, to Carlisle. On the 16th Sir Philip announced that he and Sir George Fletcher had secured 30 of "the most suspicious persons in Cumberland," and asked for Secretary Bennet's advice "how to proceed with them, and prevent their practices; till then will rather proceed irregularly than hazard the peace of the kingdom by releasing them" (*Ibid.*, p. 342). It is obvious that Sir Philip Musgrave had no evidence against this "most dangerous pack of knaves," as he calls them. He felt sufficiently secure to dismiss some of the volunteers who had been guarding Appleby Gaol, "who, though on their own charges, are too loyal otherwise to go."

On November 23rd Sir Philip informed Williamson that "the prisoners begin to impeach each other," and he specially commended the services of Richard Braithwaite "for discovery of this dark design." * One of the rebels had indeed, a month earlier, returned king's evidence, and Goodlad, Greer and Petty followed suit on November 19th.

It was now Captain Atkinson's turn to try to save his neck.

After lying concealed for three weeks (*Ibid.*, p. 622), and at some date before November 26th, Atkinson decided to give himself up, but not to either Musgrave or Fleming, who did not hear of the surrender until some time afterwards (*Ibid.* pp. 444, 449). Fleming gave (on January 28th) to Williamson this account of the circumstances of the surrender:—"The arch rebel Atkinson, not daring to surrender to Sir Phil. Musgrave, with whom he had had some differences, came into the Barony, and corresponded with Thomas, son of Poet Braithwaite of Burneside, to procure his pardon, which he promised, but being a

* *Calendar of State Papers, Domestic*, 1663-4, p. 346. Later Sir Philip asked that Braithwaite might be on the commission to try the prisoners (*Ibid.*, p. 372).

Romanist, engaged Rich. Braithwaite of Warcop to aid him with the Duke of Buckingham, their wives being cousins" (*Ibid.*, p. 45).

Information was to be the price of pardon, and Captain Atkinson began his payment on November 26th, when he was first examined, and another examination took place on December 9th (*Ibid.*, pp. 352, 368).

In December Sir Philip was daily discovering, so he said, more of the common people of Westmorland who had knowledge of the plot and many Quakers, but he discovered little in Cumberland, "the suspected being a subtle company" (*Ibid.*, p. 372).

At the Appleby Sessions (January, 1663-4) many suspected persons were bound over to keep the peace, and several Quakers were indicted and fined for holding meetings. Musgrave says of the Quakers—"They are a dangerous people, and many rogues among them" (*Ibid.*, p. 441). These were very small things compared with what was going on at York in the trial of those concerned in the Farnley Wood plot, as the Yorkshire section of the 1663 plot was called. On the 7th of January, 1663-4, 21 prisoners were sentenced to death, and numerous others to lesser punishments (*Depositions from York*, p. xix.).

The Braithwaites, hoping that Atkinson's evidence would be of some use at York and would enable them to secure a pardon for him, took him thither. It is probable that Atkinson's evidence arrived too late to be given against the Yorkshire plotters. The Braithwaites "discoursed with Judge Turner" (Sir Christopher Turner, baron of the Exchequer, who had tried the Yorkshire prisoners), but otherwise their mission to York was fruitless, as the Duke of Buckingham had gone before they arrived there. They returned to Westmorland. Afterwards they set forth for London, not telling the deputy lieutenants lest they should have imprisoned Atkinson, "who," says Daniel Fleming, "pretends to merit a pardon for further discoveries, but he is a subtle fellow, and will

only tell enough to save his neck" (*Calendar of State Papers, Domestic*, 1663-4, p. 457).

The two Musgraves had now apparently become jealous of the success of the Braithwaites, and were imploring Williamson to prevent Atkinson being pardoned unless he would confess more than he had already done. On January 15th, Christopher Musgrave begged "for his father's sake that so dangerous a person may not have a pardon sent for him, unless on some special confession" (*Ibid.*, p. 443); and on January 21st, Christopher's father, Sir Philip, complained that the Braithwaites "never gave him the least notice of the intelligence they held with Atkinson," and suggested that "they perhaps looked towards a reward." "Atkinson is a subtle, false fellow," he says, "and if he surrenders, should not be rewarded till he has done his work" (*Ibid.*, p. 449).

Two days later he writes that the "people at Kendal take it ill that the two Braithwaites carry Capt. Atkinson publicly out of the county where he was hatching a rebellion and massacre of the gentry, and away from the hand of justice, without intimation of the intelligence had with him" (*Ibid.*, p. 451).

On February 3rd, Sir Philip Musgrave again disclaimed the Braithwaites and their doings. He was not privy to and did not approve of the intelligence between them and Atkinson, and he suggested that the latter could not give any evidence of importance against the prisoners in Westmorland as so many others had confessed, but he might be of use to discover some not yet impeached in Cumberland (*Ibid.*, p. 465).

The proceedings of Captain Atkinson and the Braithwaites are now somewhat obscure. Atkinson, according to his own letter, reached London on Saturday night and was dispatched on Monday night, and then safely returned home, only the king and the Duke of Buckingham and the "two real friends" that went with him being privy thereto (*Ibid.*, p. 492).

The date of the rebel's week-end in London is not exactly known, but a letter of Thomas Braithwaite's, dated February 3rd, 1664, mentions Captain Atkinson's "escape," and his own fears that it would render him "obnoxious to the loyal party," though he hoped soon "to wash off the dirt" it would throw in his face (*Ibid.*, p. 492).

The "escape" of Captain Atkinson caused surprise and annoyance to his Cumberland and Westmorland enemies. Sir Philip Musgrave, writing from Carlisle (February, 18th, 1664), said "Captain Atkinson's escape is variously interpreted; some are troubled, others think it is a trick, for a letter from London says he escaped on Thos. Braithwaite's horse, but it will be well in the end, for Thos. had a long private discourse with the king. It is a mystery, and some think Atkinson is still at command" (*Ibid.*, p. 487).

Not willing to risk Atkinson's getting away, Sir Philip, being engaged at Carlisle, wrote to John Dalston, who issued warrants to search for Atkinson, and to bring up Margery and Phillis Sanderson (the latter a shopkeeper at Kirkby Stephen, "always thought to be affected the wrong way") with all the papers they had about Atkinson to Appleby. Atkinson could not be found.

The net result of the evidence given by the Sandersons was that Atkinson had promise of a pardon, and had been seen at his own house at Mallerstang before February 18th, but was not to show himself publicly until the Braithwaites brought his pardon (*Ibid.*, pp. 491, 492).

Those persons who thought Atkinson still at command seem to be justified by the events, for almost at the moment when the northern magistrates were trying to arrest Atkinson, that worthy was, on February 17th, being subjected to an examination presumably in London (*Ibid.*, 485).

On March 19th, 1663-4, the Kaber Rigg rebels were tried at the gaol delivery at Appleby. A summary of the

evidence as it appeared to Robert Benson, "Clerk of the Assizes for the Northe parts," is given in a document in the Public Record Office (State Papers, Domestic, Charles II., vol. 94, n. 116) :—

A narrative of the designe of Captain Atkinson and other the Traitors agt his Maty as the same was made out by severall witnesses at the Gaole delivery at Appleby in Westmerland the 19th of Mar 1663.

That Robert Atkinson who lately lived in Westmrland and had formerly been a Capt. in the late tymes of Rebellion & Gour of Appleby Castle for the rebells in these tymes with other his confederates in the said County and in Cumb'land Yorkshire and in the Bishopprick of Durham did lately designe to raise forces in those parts, and to tht purpose held correspondence with one Docr Richardson lately p'claimed Tratorr: & mett him and others at the Spaw in Yorkshire last sumer to consult about the carrying on of the designe, and that Richardson had a declaracon drawne in order to itt, That Atkinson with the forces he could raise in Westmrland & with the assistance of a troope of horse he expected from Bishopk: was to seise on the Garrison of Carlyle and of the Governour Sr Philip Musgrave, and of all the Gentlemen of the Country tht were frends to his Matie and to seise there horses for his men. That one Studholme, now prisor: at Carlyle, commited by the Justices of Peace for the same plott was to assist him in the seiseing of Carlyle, and in case it was surprised Studholme was to be Governor of it. That Atkinson did endeauour to engage men for this insurrecon and appointed them to meet him in Russendale in Westmerland the 12th of October in the night, and there mett in armes at tenn of the clocke in ye night of the Westmrland men about 20, and two men came to them out of Yorkshire the one from Leeds the other from Holbecke (being the places where the late insurrecon was in tht County) And told Atkinson & his party, tht there Yorkshire frends would upp that night, and tht they should have brought the Declaracon, but durst not for feare it should be taken with them, And Atkinson haveing notice, that the Bishopk: forces could not come to him, he intended to marche into Yorkshire to Northallerton there to meet with the Bishopk: forces and alsoe with those of Yorkshire, that were under the comand of Majr Walters, and thereupon gave his men a word vizt. (God be with us) and alsoe did declare his intent of riseing in armes, to be agt the prsent Governmt: and agt Bishopps, and prsently marched his men to a place called Kebar in Westmerland being about fower myles distant from the place where the party first

met, but his p'ty expected out of the Barony of Kendale not comeing he thinketh his forces not strong enough to hold together hee discharged them, it did appeare very plaine that his p'ty and that in Yorkshire had a correspondence together, and both p'ties to rise the same night and at the same houre though at 60 Myles distance they say th^t Ludlow & Maj^r Generall Browne (its supposed to be John Browne) was to head the p'ties in Yorkshire. That Petty one of the prisoners in the Gaole and convicted, as it was testified by a Justice of Peace, said, if the designe be not discovered in the South the business is not yet ended.

Fleming briefly reports the result of the trial :—" The grand jury was elected and found indictments against Rob. Waller, a Parliament captain, and three others, who all pleaded 'not guilty.' Three were convicted of high treason and one acquitted, and three were found guilty the next day" (*Calendar of State Papers, Domestic*, 1663-4, p. 523).

Atkinson was not tried at Appleby with the other rebels, nor did he give evidence there. Excuse was made that he was in London (*Ibid.*, p. 532). Sir Thomas Gower was very desirous that Atkinson should be sent to York as the principal witness against Colonel Mason and other conspirators. Atkinson's evidence was expected to be of great importance. " If Atkinson be sent to York," writes Gower, on March 17th, " he can witness against L.-Coll. Mason, Mr. Beckwith, Leeming, John Joplin, Capt. Hutten, and Capt. Hodgson, who are all principall conspirators, and without him the testimony against two of them will be lame" (State Papers, Domestic, Charles II., vol. 94, n. 101).

Writing to Williamson on March 28th, Gower again urged that Atkinson should be sent to York. " If he be not seen in the York horizon, the king's service will suffer" (*Calendar of State Papers, Domestic*, 1663-4, p. 532).

According to several authorities, Captain Atkinson was hanged in Appleby Castle on the 1st April, 1664, but they are mistaken. The rebels executed on that date were Robert Waller, Steven Weatherill, and Henry Petty.

Captain Atkinson was still living, and on April 8th Sir Thomas Braithwaite delivered him to the custody of Sir John Robinson, lieutenant of the Tower (*Fleming MSS.*, p. 32 ; *Calendar of State Papers, Domestic*, 1663-4, p. 549), and on the 14th he was examined by the Lord Chancellor, the Lord Chief Justice, and Secretary Bennet (*Calendar of State Papers, Domestic*, 1663-4, p. 563). On 22nd April, Atkinson's nephew, John Waller, wrote to him from Durham gaol (*Ibid.*, p. 563). On May 9th a Mr. Law received permission to examine Atkinson on a matter depending in the Court of King's Bench (*Ibid.*, p. 583). On May 16, 19, 21, and 28 Atkinson was examined by Secretary Bennet with and without the assistance of the Duke of Buckingham, Lord Chief Justice Hyde, Sir Philip Musgrave, and Sir Thomas Gower (*Ibid.*, pp. 389, 590, 592, 598).

Hitherto Atkinson had been allowed to converse with other prisoners, but on May 31st an order was issued restraining him from this privilege (*Ibid.*, p. 600). The intention was, no doubt, to make his imprisonment more rigorous, so as to induce him to make a fuller confession than he had hitherto done. Sir Philip Musgrave was of opinion that Atkinson ought to be sent to his own county, in order to bring him to make a fuller confession of what he knows, "which he will not do whilst confident of pardon." Sir Philip believed that Braithwaite had concealed several important particulars (*Ibid.*, p. 622).

On June 23rd Atkinson was again examined by Secretary Bennet. He professed to have told all he could, and said that if he was carried back to his country and convicted of knowing more he would deserve to lose his life, but he durst not put himself into Sir Philip Musgrave's hands because Darston [Dalston ?], his declared enemy, had influence with Sir Philip (*Ibid.*, p. 622).

On July 9th Mrs. Atkinson was in London, and was permitted to see her husband (*Ibid.*, p. 637).

Having now obtained from Atkinson all the information

he was able or willing to give, the authorities appear to have promised him the king's pardon if nothing was proved against him that he had not confessed. They then sent him north to his trial. He was discharged from the Tower, July 14th, 1664, on a warrant, issued to the lieutenant of the Tower, to deliver Captain Atkinson to a corporal, called elsewhere Quarter-master Cooper (*D:K's 30th Report*, p. 314), of the king's troop, who had orders to take him and Richard Oldroyd ("the devil of Dewsbury," prisoner in the Gatehouse, and afterwards sentenced to death), with a guard of six troopers, to Northampton, there to deliver them to the chief officer of Colonel Frescheville's troops, who would convey them to York (*Calendar of State Papers, Domestic*, 1663-4, p. 641).

It is probable that Atkinson was needed in York to give evidence against his travelling companion Oldroyd, or some other of the Yorkshire plotters. Presumably he afterwards performed a similar service at Durham, for we next hear of him at Tynemouth; and on August 5th, Dr. Thomas Smith wrote from Cockermouth:—"Atkinson . . is removed from Tinmouth to Carlisle, by a file of Musqueteers, from thence he is to be brought to Appleby, but not till the time that the Judges come thither: but what part he is to act there, I cannot yet learne: most are of opinion he will be hanged, at least they hope and wish he may" (Magrath's *Flemings in Oxford*, vol. i., p. 147; *Fleming MSS.*, p. 32).

A few days later (August 11th) Atkinson was in prison in Carlisle, and Sir Philip Musgrave was complaining that the promise of pardon made Atkinson unwilling to answer questions incriminating his friends, especially Studholme (*Calendar of State Papers, Domestic*, 1663-4, p. 664).

The final scene of the Kaber Rigg plot is told in a statement by Sir Philip Musgrave concerning Robert Atkinson, dated September 8th, 1664:—"His confessions did not agree with one another. He denied some things which were sworn against him, and named persons as

privy to the plot whom he never accused before, one in particular, who, he said, could discover all in the barony of Kendal that were engaged; but these accusations, being after his condemnation, are of little use. Before his trial he was insolent, and told his guards nobody could get from him more than he had a mind to say; since his condemnation, he said he had rather be hanged than come to the bar as witness against any man, and confessed sending the paper of advice to the prisoners to obstruct their trials. He professed himself at the gallows a moderate Presbyterian, but feared that drunkenness, defamation, and cozenage might be laid to his charge" (*Ibid.*, 1664-5, p. 5).

On August 31st a warrant was issued to Sir Thomas Davidson, high sheriff of Durham, to respite Robert Atkinson.* The respite apparently did not reach Durham in time, for, as Sir Philip Musgrave's letter shows, Captain Atkinson was duly hanged, and apparently the execution took place at Appleby,† probably early in September.

The story told by the Rev. W. Nicholls (*History of Mallerstang Forest*, p. 88), on the authority of Mr. G. Blades, fits in so well with the facts of the case that it is probably substantially correct:—"On the morning of the execution a king's officer arrived at Stainmore, and asked at the inn whether there was any particular news. Whereupon they informed him that Captain Atkinson had been executed that morning. 'Why,' he replied, 'I have his reprieve in my pocket.'"

Captain Atkinson was not a man to command either our respect or sympathy. He had played false to both parties in the State, he had led his neighbours into a rebellion, which, if serious, was absurdly mismanaged,

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* *Calendar of State Papers, Domestic*, 1663-4, p. 676. It is not clear why the respite was directed to the High Sheriff of Durham. Apparently it was misdirected, and if so the mistake cost Atkinson his life.

† *Calendar of State Papers, Domestic*, 1672-3, p. 538, where there is a letter written by a prisoner at Appleby who mentions incidentally Atkinson's execution "here."

and he had become an informer. But all this need not blind us to the hardship of his lot. He was hanged, though as an informer he was entitled to his life, and though a reprieve was on its way to him.

There are traces of personal feeling against Atkinson, especially on the part of Sir Philip Musgrave, and it is said that Lady Pembroke, who had also personal motives, "had set her mind on his execution" (Nicholls' *History of Mallerstang*, p. 88). In Commonwealth times Captain Atkinson had been by no means lenient with "malignants," of whom Sir Philip Musgrave was one. Perhaps the personal feeling arose from this.

Of the men who took an active part in the rebellion we have an approximately complete list. In one of his confessions Captain Atkinson gave the names of those whom he knew or could remember, and other informers gave additional names. Captain Atkinson's list (State Papers, Domestic, Charles II., vol. 98, n. 91) is as follows:—

Tho. Wharton appeared at the time & place before men'coned, and brought with him (after all their great promises) one man unarm'd, Richardson in pursuance of his promises, brought in 2 besides himself, so the whole pty that appeared were about 20, their names as followeth, as many as I know or remember.

of the Barony.
Wharton
(what's become of him I know not)

Out of Wencedale
2
their names I know
nor what became of them.

in Westmorland Bottom
of the Discoverers interest
John Fothergill, arraigned and quitted
John Waller, fled;
John Smith, fled;
Stev. Weatherell, Suffer'd;
Tho. Greer, a witness;

—— Threlcote, quitted;
Hen. Petty, Suffered;
Wm. Goodlad, a Witness;
Walters, a witness;
Rob. Waller, Suffer'd;
Wilkinson, quitted;
Rich. Atkinson, fled;
Faucet, fled;
Faucet's man, fled;
Hall, quitted;
Serjt. Richardson, fled.

This is al the Accompt I can give of mounted men that appeared at the Rendezvous there appeared neare upon half a score foot wch I knew not, nor can give Accompt of them.

From Atkinson's list and that given by Greer (*Depositions from York*, p. 104), and casual references by other informers, we are able to construct a list giving the names of most of Atkinson's misguided army.

From the barony of Kendal came :—

1 Thomas Wharton, apparently of Coatgill in Orton parish, of whom we have no further information, and
2 One man unnamed.

From Westmorland Bottom came :—

3 Captain Robert Atkinson of Mallerstang, who turned informer, but nevertheless was hanged, probably at Appleby, September, 1664.
4 Captain Robert Waller of Mallerstang, Atkinson's brother-in-law, who was hanged at Appleby, April, 1664.
5 John Waller of Mallerstang, yeoman, nephew of both Captain Atkinson and Captain Waller. He fled, but was taken prisoner 20th April, 1664, and confessed in Durham Gaol, but hoped to save himself by confession (*Calendar of State Papers, Domestic*, 1663-4, pp. 563, 572, 576).
6 John Fothergill, who was acquitted at Appleby, 1664.
7 John Smith, who fled.
8 Stephen Weatherill, who was hanged at Appleby, 1664. He is also called Weatherhead (*Ibid.*, 1672-3, p. 538).
9 Thomas Greer, or Greere, of Kirkby Stephen, who was acquitted at Appleby, 1664, being an informer.

10 Nicholas Threlcote or Threlkeld, who was acquitted.
11 Henry Petty (called also Peaty, *Ibid.*, p. 538), who was hanged at Appleby, April, 1664).
12 William Goodlad, who was an informer.
13 —— Walters, according to Atkinson's list, appears to have been John Waterson of Great Musgrave. He was an informer.
14 John Wilkinson, acquitted. Richard Wilkinson, a prisoner at Appleby, some years afterwards stated that his brother "was tried for his life, and escaped very narrowly, though as innocent as any man living, only because Sir Philip (Musgrave) had a pique against him" (*Ibid.*, p. 537).
15 Richard Atkinson, who fled.
16 Richard Fawcett, who fled, was, according to Musgrave, "an intelligencer from the county of Durham." He had been a Quaker, but when Francis Howgill, the Quaker, was on trial he stated that "Fawcett had been disowned by us this six years, nor do I believe he hath pretended to come among us these two years."* Goodlad, on November 19th, 1663 (*Ibid.*, 1663-4, p. 347), gave Fawcett's name as Thomas Fawcett of Ravenstonedale.
17 Fawcett's man, whose name is not given, but who fled.
18 Hall or Hull, who was acquitted.
19 Serjeant Richardson, of Atkinson's list, fled. He is called by Goodlad, Colonel Richard Richardson of Crosby Garret (*Ibid.*, p. 347).

From Wensleydale came:—

20 and 21 Two men whose names and fates are not recorded.

So meagre a list of rebels was very unsatisfactory to Fleming. For years he had been troubled by various malcontents, and not a man of them had committed himself by taking an active part in the rebellion. When he knew that Atkinson was giving evidence against his colleagues, Fleming wrote to Williamson mentioning the names of a few people he would be glad to see incriminated, and suggesting that Atkinson should be given the opportunity of informing against them. Writing January 28th, 1663-4, Fleming wrote:—"If he come under your examination pray know of him what persons in particular

* Besse's *Sufferings*, ii., 12. Howgill's trial is stated by Besse to have been in July, 1663, but the year was probably 1664.

were engaged here in the Barony (that we may thereby know our friends from our foes), and whether James Cock, Jo. Archer, Geo. Archer, Tho. Sands, Tho. Jackson, Captaine French, Captaine Sigswick, Jo. Wallis, James Greenwood, Geo. Walker, and Robert Wharton (most Kendall, all Barony men, and judged dangerous) were privy thereunto" (State Papers, Domestic, Charles II., vol. 91, n. 68).

To this leading question Atkinson gave what must have been an unsatisfactory answer. The list of those whom he "positively accused" as "principal Agitators or deepely engaged in the conspiracy," included only one of the persons so obnoxious to Daniel Fleming. Those whom Atkinson accused were "Lieutenant Coll. Mason (once Deputy Governor of Carlile), John Joplin (once Gaoler of Durham), Paule Hobson, L. Coll. Rob. Walters, old Rimers and his sonn, Mr. Wm. Stockdale, Capt. Otes, Capt. Studholm, Capt. Urell, Capt. French, Capt. Spencer (who he saide was sickly in body, but free to engage)" (State Papers, Domestic, vol. 93, n. 11), and he also accused Lord Wharton.

Before the date of Atkinson's confession, and soon after the close of the rebellion, Captain French and Mr. John Wallis had been imprisoned. Robert Wharton, a Quaker shoemaker, also one of Fleming's suspects, was in December, 1663, accused by Greer of knowledge of the plot (*Depositions from York*, p. 104), and was in April, 1664, committed by Fleming to Appleby Gaol to await his trial for complicity in the plot. As a Kendal man he ought to have been imprisoned in Kendal, but "the gaoler at Kendal being himself a fanatic," Fleming thought Appleby would be safer (*Calendar of State Papers, Domestic*, 1663-4, p. 586). Wharton had been under suspicion for some time, as a witness had in the previous November reported that he had heard that Wharton had refused a commission from Atkinson (*Ibid.*, p. 342).

George Walker of Kendal, surgeon, was another of

Fleming's suspects. He had been arrested on suspicion early on in the affair. Fleming says:—"He was one whom wee had a long time in custody upon the score of Captaine Atkinson's Plott, but wanted then so much evidence against him as to be sufficient to try him at Appleby with the rest that were found guilty" (*Fleming MSS.*, p. 40). In April, 1664, he was again arrested, and sent with Wharton to Appleby Gaol. Presumably he was acquitted. In 1666 he was again under suspicion, and was arrested and committed to gaol. A search was made for "all fanatick letters or papers," but without result. Fleming writes:—"This Walker is a kind of Quaker, yet much imployed by most sorts of recusants. Hee is a person as likely for an intelligencer as most wee have in this country" (*Fleming MSS.*, p. 240).

One of the prisoners acquitted at Appleby was Thomas Greer, and to him was sent a letter of congratulation, written in the name of George Dickson or Dixon of Troutbeck. The writer rejoiced that Greer came off so well at Appleby, and hoped soon to see him in joy at Kendal; "though this failed, the next may have better success" (*Calendar of State Papers, Domestic*, 1663-4, p. 528). This letter, whether bogus or merely indiscreet, alarmed the authorities, into whose hands it came. Fleming was ordered to make enquiries, and came to the conclusion that it was not written by Dickson (*Ibid.*, p. 586).

The Kaber Rigg rebellion was but a small affair. Those who took part in it were few in numbers and insignificant in position. The poor fellows who so ludicrously set forth to overturn a kingdom, and returned home the same night hoping that they had not been seen, will cut no great figure in history. For so childish a rebellion the punishment was brutal. The Government seized the opportunity given by an abortive rebellion of striking terror into the hearts of the old Parliamentary party, and the loyal gentry, who were by no means indisposed to wipe off old scores, ably seconded it.

ADDENDUM.

Kaber Rigg Plot.

Until the article was in type I was unaware of an interesting passage from the diary of Anne, Countess of Pembroke, quoted in Mr. George Watson's life of that lady: "The 20th day of this August 1664 did the two Judges of Assize for this Northern circuit come hither to keep the Assizes here, where Robert Atkinson, one of my tenants in Mallerstang, that had been my great enemy, was condemned to be hanged, drawn and quartered as a traitor to the King, for having had a hand in the late plot and conspiracy, so he was executed accordingly the first day of the month following." This is conclusive evidence both as to the date and place of Atkinson's execution.

TO FACE P. 232.

Art. XVII.—*Extinct Cumberland Castles* (Part III.). By T. H. B. Graham.

Communicated at Keswick, July 7th, 1910.

TO the list of border castles, actual and reputed, contained in these *Transactions*, N.S., ix., p. 209, and N.S., x., p. 102, I now add other examples, which have lost their original character of mansions or strongholds, and may be regarded as extinct, together with some interesting scraps of information, which elucidate the history of those castles and their immediate vicinity.

Dunmallok Castle.

Sir William Dugdale called this castle "Dunwalloght," and suggested Cumrew as its position, and I have accordingly given a description in these *Transactions*, N.S., ix., p. 218, of certain banks of earth situate near that village at a spot marked on the Ordnance Survey as the "site of Dunwalloght Castle," but I have discovered some fresh facts, which indicate that its true site may be looked for in a different locality.

On August 24th, 1307, William de Dacre obtained licence to crenellate his dwelling-house of Dunmalloght* *(sic)*, co. Cumberland, in the marches of Scotland

* It is perhaps worth noting that the name Dunmalloght must have been given not later than about the eleventh century, when Gaelic-speaking immigrants (Irish-Vikings or Galloway Scots?) may have named some non-Cymric and non-Teutonic places in our district. It implies an already existing *dun* or fort. For the second part of the word compare Joyce, *Irish Names of Places*, i., 379:—"The peasantry understood Kilnamullagh to mean the church of the curse (mallacht) . . . At the year 1251 the Four Masters call it *Cill-na-mullach*, which O'Sullivan translates *ecclesia tumulorum*, the church of the hillocks or summits, and the name admits of no other interpretation." Now Dunmalloght (or, with the *m* "aspirated" in composition, Dunwalloght) looks like a parallel case—"the fort of the summit," which would apply to Dunmallet at Pooley Bridge, or "the fort of the mounds" (ruined remains?), which would apply to the Cumrew site, if already ruined. The notion of a place under a curse might be confused with this, as in Ireland, making Dunmallok into Dunmalloght. There is no reason why the name should not have been used at both sites.—Ed.

(*Calendar of Patent Rolls*, 1 Edward II., p. 11); and in 1329, Thomas le Sawer of Templesowerby speaks of an event which occurred 17 years previously, because he was then working at a certain pele *(pelam)* of Dunmallok, belonging to Ranulph de Dacre (*Calendar of Inquisitions post mortem*, 3 Edward III., p. 190).

In 1485 the possessions of Humphrey Lord Dacre of Gilsland, then lately deceased, included the manor of Dacre, within which was the site of a capital messuage, on which was newly built a certain tower (Dacre Castle is referred to), and at Soulby, parcel of the same manor, was "a wood called Dun Mallok," containing 20 acres. (*Calendar of Inquisitions post mortem*, 1 Henry VII., p. 67). At the foot of Ullswater is a lofty hill called Dunmallard or Dunmallet, and here, in Cumberland and in the marches of Scotland (a very elastic term), may be the long-forgotten site of Dunmallok or Dunwalloght Castle. Mr. J. F. Curwen suggests that this little tower may have been destroyed when Dacre Castle was built.

The said inquisition upon the death of Humphrey Lord Dacre (see pedigree *ad fin.*) is a document of more than ordinary interest, because it is rich in old place-names and local allusions. His "manor of Irthington," held of the king by the service of two knight's fees, appears by the context to have been co-extensive with the barony of Gilsland. Irthington became later on a subsidiary manor, but it was then apparently still regarded as *caput baroniæ*, or capital of the lordship. It included in 1485 Naward, where there was a castle;* Brampton and a park in Brampton, with a wood outside it called Brigwood; the fishing of the pools called Tynyel (Tindal) logh and Tauken (Talkin) logh† worth 6d., and a new built house there called Ternehouse (Tarnhouse); coal mines

* Ranulph de Dacre had obtained licence to crenellate "his dwelling-place at Naward" in 1335 (*Calendar of Patent Rolls*, 9 Edward III., p. 168).

† "Talkane terne lacus" belonged to Thomas de Multon in 1294 (*Calendar of Inquisitions post mortem*, 23 Edward I., p. 126).

in Tynyel fell, valueless on account of the Scots, who are again and again stated to have destroyed everything; and the escape or evasion of the beasts of Ainstable to be had over a certain pasture, parcel of the said manor of Irthington, called Kynhenry, a transitional form of "King Harry."

Wolsty Castle.

King Stephen granted Cumberland to Prince Henry, eldest son of David King of Scots, and the said prince in 1150 planted an abbey of the Cistercian order of white monks at Holm Cultram, giving them two-thirds of that manor and the remaining third to another grantee, who forthwith transferred his share to the monks. After Stephen's death, Henry II. resumed possession of Cumberland, and confirmed these gifts to the religious community, by the description of "the whole island of Holmcultram." The abbey was in great need of protection, for it had been ruthlessly pillaged by the Scots under Alexander II. in 1216 and under Robert Bruce in 1322, and Wolsty Castle was erected for its defence.

The last abbot, Gawin Borrowdale, surrended his lands to Henry VIII. in March, 1537, and in the following year the tenants of the manor presented a petition that the chapel of the abbey might be left standing, because it was their parish church,* and a great defence against the Scots (Ellis's *Original Letters*, p. 89). So the abbot was appointed first rector of the parish of Holmcultram. The manor, including Wolsty Castle, remained in the hands of the Crown until after the Restoration (Dugdale's *Monasticon*, Edition 1825, vol. v., p. 293). The Solway, instead of affording protection to the abbey, exposed it to sudden attacks by sea, and was always incroaching upon the fertile holm from which it derived its name and

* There had been, properly speaking, no parish church of Holmcultram, but here, as at Lanercost and elsewhere, the tenants of the manor seem to have been permitted to use the *nave* of the conventual church as a parish church, and after the Dissolution it was so constituted.

revenue. The large sea-creek, which has here eaten its way into the abbey holm, was supposed by Camden (*Magna Britannia*, ed. by Gough 1789, vol. iii., p. 172) to be the estuary which the geographer Ptolemy calls Moricambe, and it is so named on some modern maps, though most critics of Ptolemy's writings believe that he indicated Morecambe Bay in Lancashire.

Edward I.'s wars against Scotland brought the neighbourhood of Wolsty Castle into prominence. On February 12th, 1301, the king granted to the abbot and convent that their town of *Skynburgh*, within their island of Holmcultram, should be a free borough and the inhabitants free burgesses, so that the said borough should be kept by a faithful man to be chosen by the abbot and convent, and that all merchants might come to the said borough with their merchandise by land or water. And he further granted to the abbot and convent that they should hold within the said borough a weekly market on Thursday, and a yearly fair on the vigil and feast of St. John the Baptist and fifteen days following (*Calendar of Charter Rolls*, 1301, p. 2).

But there is another charter, dated March 28th, 1305, which recites that the abbot had informed the king that the greater part of the said borough of Skynburgh and the road leading thereto had been so carried away by tempests of the sea that men could not go there or dwell there as they were wont to do, and grants to the abbot and convent that their town of *Kyrkeby Johannis*, instead of Skynburgh, shall be a free borough, with all the liberties previously granted to the latter, including the market and fair on the same dates (*Calendar of Charter Rolls*, 1305, p. 55). In the abbot's petition of the previous year the name of the town (villa) is spelt Skynburnese (*Rotuli Parliamentorum*, vol. i., p. 161).

On April 11th, 1304, Bishop Halton empowered the abbot and convent of Holmcultram to erect (*de novo construere*) a chapel or church at "Arlosk," because their

lands there were not within the limits of any parish, and had suffered from the invasions of the Scots (Dugdale's *Monasticon*, Edition 1825, vol. v., p. 595).

The old map in Camden's *Magna Britannia*, Edition London 1607, appears to place "Kirkby" somewhat nearer the mouth of the Wampool than "Long Newton" (Newton Arlosh).

The expression *de novo construere* and the place-name Kirkby-John may imply that a chapel had anciently existed in the neighbourhood.

The authority granted in 1301 to build a parish church at Skinburness (Dugdale, *Ibid.*, p. 593) had never from force of circumstances been exercised, but Skinburness was not annihilated, for it continued to be a port and the destination of stores for the expeditions against Scotland until the close of Edward I.'s reign (see *Calendar of Patent Rolls*, 1301-1307).

Wolsty was occupied from the time of Edward III. downward by a branch of the family of Chamber, one of whom, Robert, filled the position of abbot. On October 13th, 1348, the abbot of Holmcultram obtained licence to crenellate "the manor of Wolmsty, which is within the limits of Holmcultran, co. Cumberland" (*Calendar of Patent Rolls*, Edward III., 1348-50, p. 194).

Wulsty Castle, says Hutchinson (vol. ii., p. 340), stood nearly due west from the monastery, in a strong situation not far from the coast. A small part is now (1794) remaining, but sufficient to show it was a place of great strength, with a broad and deep ditch surrounding it. It appears to have been the custom in the northern parts of this kingdom for the monasteries to have a fortress of this kind, in which they might lodge with security their treasures and records on the approach of an enemy.

In this castle, according to tradition, were preserved the occult works of Michael Scot, who, some say, was buried at Holmcultram about 1234, and from his deep learning obtained the reputation of being a wizard (Camden, *Magna Britannia*, Edition London 1607, p. 636, and *Dictionary of National Biography*).

An inquisition respecting the Crown manor of Holmcultram was held in 1572 (15 Elizabeth), and the return made by the jury states that Wolsty Castle was in decay—the hall, the chamber at the end of the hall, the evidence house, the kitchen, the peat house, byer and stable were ruinous. The estimated cost of repair was £107 10s. 4d., and, if the fortress was not maintained for the defence of the western part of the lordship in time of war, 14 townships, therein named, of the yearly rent to the Crown of £120 17s., would be spoiled and destroyed by the enemy (Hutchinson, vol. ii., p. 339).

Newton Tower, "a strong safeguard and security to the tenants on the east side of the Waver," is stated by the same return to have been in decay. The massive pele, attached to the church of Newton Arlosh, is here indicated. An excellent picture and plan of that ruined tower, as it appeared in 1816, will be found in Lysons' *Cumberland*, p. cxci.

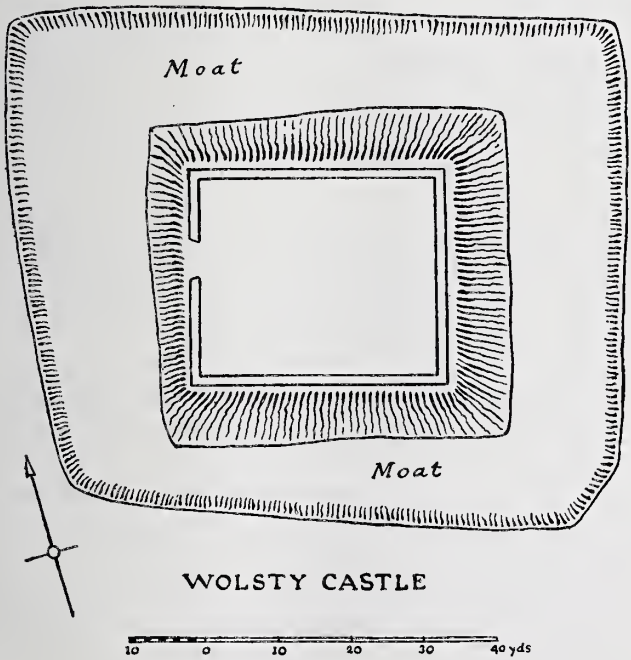
In a report made March 7th, 1593, by Alexander King, auditor to the Exchequer (*Calendar of State Papers, Domestic, Add.* Elizabeth, 1593, p. 349), "Woulstre Castle" is described as lying seven miles west-by-south from Bowness Tower, a quarter of a mile from the sea-creek which divides the English and Scottish borders, and about four hours' boating over the creek to Scotland.

From a survey of 1638 (see these *Transactions*, N.S., i., p. 203) it appears that Wolsty Castle had been granted to Robert Chamber and Thomas his son, with a fee of 20s. a year for keeping the same, but it had for the most part fallen into ruin and decay. Robert had at his own cost expended £100 over and above the £150 then necessary for repairs. After the death of the said Robert and Thomas his son, Wolsty Castle was in 1596 granted to Richard Chamber as keeper, and he was succeeded by his brother William, who died in 1629. Robert, the son of William, began to repair the castle in 1630, and after expending £100 and upwards upon it, "upon the 20th May, 1634,

the said Robert, his wife, children and servants, to the number of nine, being in their beds, the roof of the bedchamber did suddenly fall down," breaking down the loft on which their beds stood, "though (praised be God) nobody therein was hurt thereby, and the said chamber is now built up again by Robert Chamber aforesaid" (*Ibid.*, p. 206).

At the Restoration a survey was made, and the jury found that

Thomas ffitch, late p'tendid gouvernor of Carlisle, caused the castle of Wolstie to be ruinated, and the material thereof he caused to be carried to the Citie of Carlile, and for the land there remaineth [nought] save only the mote or ditch about the walles" (*Ibid.*, p. 207).



The site is marked on the Ordnance map $1\frac{3}{4}$ miles due

south from Silloth Railway Station, and five furlongs from the foreshore. The building has been razed to the ground, but its foundations are traceable, and its moat very distinct. A gap in the foundations on the western side may possibly mark the position of the entrance. A large block of masonry lying on the northern side shows that the walls were at least seven feet thick, and built of rough cobbles. Probably this is only the core, the dressed stones being removed.

Bowness Tower.

Leland, who appears from internal evidence to have written his description of Cumberland in 1539, six years after he received his commission to travel from Henry VIII., mentions

> Bolnes, wher ys a lytle poore steple as a fortelet for a brunt, and yt ys on the hyther syde of the ryver of Edon, abowt a viii myles from Cair Luel (*Itinerary*, 3rd Ed., vol. vii., part i., p. 55).

Auditor King, in his above-mentioned report of 1593, refers to

> Bowness House or Tower, belonging to the Parsonage, two miles west and by north from Drumburgh, adjoining a sea-creek which divides the English and Scottish borders, a place of small receipt, yet very necessary for that part of the border (*Calendar of State Papers, Domestic, Add.* Elizabeth, 1593, p. 349).

The building was not a church tower, for Bowness does not possess one, and if it were not for the words "belonging to the parsonage," I should be at a loss to know where to look for its site. Mr. Wills, a native of Bowness, tells me that he has never heard mention of such a tower, but he remembers, some 50 years ago, a building known as "the old rectory," though not occupied as such, being demolished.* It stood near the gate of the present rectory,

* "The old rectory is about to be rebuilt; the rector resides at present (1858) in the village" (Whellan's *Cumberland*).

and its foundations were so solid that it was necessary to blast them with gunpowder. I can only conjecture that this was the site of "Bowness House or Tower."

Drumburgh Castle.

The manor of Bowness, situate between the rivers Eden and Wampool, was from an early period held of the barony of Burgh by Gamel le Brun and his descendants, who are sometimes styled *de Feritate* "of the waste," on account of their territory being largely composed of mosses.

On August 24th, 1307, licence was granted to Robert le Brun to crenellate his dwelling house of Drombogh* (*Calendar of Patent Rolls*, 1 Edward II.). This was the origin of Drumburgh Castle. The lords of the manor always held the advowson of Bowness Rectory, so the names of the successive occupants of the castle may be gleaned from the ecclesiastical records printed in Nicolson and Burn's *History of Cumberland*, vol. ii., p. 215.

For instance, in 1300 a presentation to the living of Bowness was made by the lady Ada de Feritate.

In 1307 Sir Richard le Brun† made the presentation. In 1322 Sir Robert le Brun held the advowson. In 1342 his son Richard was "lord of Drumbugh." In 1354 Robert Brun and in 1381 John "Broyne," lords of Drumbugh, presented successively to the rectory. After them came Richard le Brun, and he left three daughters coheiresses, who married William Curwen, Nicholas Harrington,‡ and Thomas Bowett respectively (John Denton's *Accompt*, Ed. R. S. Ferguson, pp. 50 and 78).

Alexander King, in his said report of 1593, says that it

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* Spelt in a charter of Thomas de Multon, before 1240, Drumboc (Prescott's *Wetherhal*, p. 194).

† He died seised of the manor of Drumbogh in 1312, having held it of John de Castre and Isabel his wife by service of 4s. 9d. yearly for cornage (*Calendar of Inquisitions post mortem*, 6 Edward II., p. 215).

‡ In 1416 Jacobus Harington miles held one-third part of the manor of Bownesse and the hamlets of Drunbough and Est as of the barony of Burgh (*Ibid.*, 5 Henry V., p. 27).

was "neither castle nor tower, but a house of strength, and a very fit place for defence." Mr. John Aglionby purchased this portion of the old Dacre possessions from Henry, Duke of Norfolk, in 1678, and repaired the ruined castle, which he afterwards exchanged with Sir John Lowther for Nunnery (Lysons' *Cumberland*, p. 30), and thus Lord Lonsdale is the present owner of Drumburgh Castle.

The present building was erected in Henry VIII.'s reign by Thomas Lord Dacre (see pedigree *ad fin.*), Knight of the Garter, for Leland states that "the Lord Dacre's father built upon old ruins at Drumbuygh a pretty pile for defence of the country" with stones taken from the Picts' wall. That Thomas Lord Dacre was a great builder of castles, for besides this he erected those of Askerton and Rockcliffe and enlarged Naworth. Drumburgh Castle is an oblong building facing northward, and measuring some 28 yards by 10. Upon the front is a weather-beaten stone with the initials T. D. in its upper angles, and bearing the arms of the said Thomas Lord Dacre encircled by the garter, which is inscribed with the words *Honi soit qui mal y pense;* while below them are the concluding letters of the motto *Fort in loyaltie*, which has become illegible. Jefferson inferred that the inscription "J. L., 1681," upon the locks of the doors marked the date when the exterior assumed its present appearance (*History of Carlisle*, p. 398).

Burgh Castle.

The barony of Burgh takes its name from the manor of Burgh-upon-Sands (*super sablones*), and it is in that manor one would look for the site of the castle which in early times formed the residence of the chief lord of the barony. There are some extremely vague allusions to such a castle. Polydor Vergil, bishop of Bath and Wells, in his *Historia Anglica* dedicated to Henry VIII., records the capture in 1174 by William the Lion, King of Scotland, of a fortress

which some have identified with Burgh, but the context rather points to Brougham in Westmorland. His words are :—

Ipse arcem, parum citra Edenam flumen sitam, quam incolæ Burgthum (vocant), et alteram, in ejusdem fluminis ripa positam quam Appelbiam vocant, capit (Edition 1555, Book xiii., p. 229).

A reference in 1254 to "Bourg," cited by Lysons, relates to a town of the same name in France (*Calendar of Patent Rolls*, 1254, p. 303).

But Leland, writing in 1539, says "Burgh in the sand is a village, by the which remain the ruins of a great place now clean desolated, where Edward I. died" * (*Itinerary*, 3rd ed., vol. vii., part i., p. 55).

He appears to refer not to the Roman station, but to some mediæval dwelling to which the dying king was removed in 1307 from his camp upon the marsh. Its site is indicated by Camden when he writes :—"The station has been a little east of the church near what is called 'the old castle'" (Edition 1789, vol. iii., p. 187). Then again John Denton speaks of Burgh, "where the barons of Burgh had a capital messuage, the ruins whereof are yet seen at the east end of the town" (*Accompt*, p. 79). And lastly, Whellan states that "near to Burgh is the site on which the castle of Sir Hugh de Morville formerly stood. The adjoining field is called 'Hangman Tree.' A neighbouring enclosure bears a designation not less ominous 'Spillblood Holme'" (p. 153). The latter is the small pasture field on the north-west side of the bridge leading to Carlisle, but as there are no visible traces of a building there, I must refer to the map of Burgh contained in Bruce's *Roman Wall*, 3rd edition, 1867, which purports to show the position of "Hangman's Tree" and "Sir H. Morville's house." Sir Hugh Morville died in 1202 (these *Transactions*, N.S., vol ix., 264).

* "Venit usque Burgum super Sabulo, ubi . . . . dies . . . . consummavit"—Matthew of Westminster, 1307. Called "Parochia de Burgo" in a charter of 1158-67 (Prescott's *Wetherhal*, p 188).

When the castle was destroyed, the great pele tower of the parish church seems to have become the local stronghold. A plan of that church tower is contained in Lysons' *Cumberland*, p. cxci.

I can only find one unequivocal reference to this submanor of Burgh super sablones. In 1328 Robert Parnyng and Isabella his wife held it (*Calendar of Inquisitions post mortem*, 3 Edward III., p. 26), and their superior lord was Ranulf de Dacre, who married Margaret de Multon (*Ibid.*, 13 Edward III., p. 89, and these *Transactions*, N.S., vii., p. 235).

Bewcastle.

Sir John de Swynburne purchased the dale of Bothecastre from Matildis and Emma de Carrig. It was their share of the land which originally fell to the six aunts of Helewisa de Levington (see *Calendar of Documents relating to Scotland*, Bain, vol. iv., p. 361, where much light is thrown on this difficult title).

In 1296 Sir Adam de Swynburne (probably son of Sir John) held Bothecastre, but it was seized by the Crown in that year, because he had been an adherent of John de Baliol, late king of Scotland (*Ibid.*, vol. ii., p. 172). In February, 1338-9, King Edward III. granted to John de Strivelyn (Stirling) and Barnaba his wife respite from reliefs due by them on the deaths of her father, the said Adam de Swynburne, and her brother, Henry de Swynburne (*Ibid.*, vol. iii., p. 238); and finally in February, 1357-8, although it had been found by inquisition that the said Sir Adam de Swynburne sided with the Scots in the time of the king's grandfather, rode with banners displayed, and aided in burning Hexham Priory, and took part with Gilbert de Middelton and the Scots in the king's father's time, and his said daughter Barnaba had in her father's lifetime and before her marriage lived in family with Robert de Bruce and others the late king's enemies, yet King Edward III. restored to John de Strivelyn the

lands of Barnaba his wife in Bothecastre, and pardoned them for all felonies committed by her father or ancestors (*Ibid.*, vol. iv., p. 2).

Not many years later Bewcastle came into the possession of the family of de Middelton (one of whom is above referred to), for on September 1st, 1401, King Henry IV. wrote to his chancellor :—

As the castle of Bothe belonging to John de Middelton, son and heir of the late Sir John de Middelton, knight, was lately, from default of good governance, taken by the Scots, and John with Christiane his mother made prisoners, spoiled, and robbed by them, but soon after, by the aid of God and their cousins and friends, they regained and now hold the castle, the king has pardoned them, and permits Christiane to hold the castle for life, and John her son after her death, and commands letters accordingly (*Ibid.*, vol. iv., p. 121).

Richard, Duke of Gloucester, to whom Bewcastle had been granted by Edward IV., became king in 1483. The subsequent *hiatus* in the history of the castle is filled by an interesting deposition made in 1538 by an aged tenant of the manor (*Calendar of State Papers*, Henry VIII., vol. xiii., part ii., p. 553). James Noble of Kirkbeck-mouth, aged 80, therein states that sixty years by-past King Richard's commissioners let all the lands of Bewcastle to Cuthbert and John Routledge, Robert Elwald and Gerard Nixon, and before that the castle, and all the lands belonging to the same, of long time lay waste. The said four men paid no rent, but were to maintain the king's wars, and pertained to the captains of the castle under the king. Thomas Lord Dacre (see pedigree *ad fin.*) undertook to occupy under Sir John Musgrave captain there until the said Lord Dacre was troubled at London, and did send unto William, now Lord Dacre, that he should give over his occupation to Thomas Musgrave, who had succeeded his father as captain. All the time that Thomas Lord Dacre ruled under the captain he caused the inhabitants to appear at his court of Askerton. John Musgrave received the farm, before the late com-

motion, to the use of Sir William Musgrave, now captain there. When deponent entered into the farm he paid gressome to Sir John Musgrave, aforesaid captain under the king that now is.

The following records appear to confirm the statements of the deposition.

In 1514 there is a grant in survivorship, to Sir John Musgrave and his son Thomas, of the offices of constable of Bewcastle and chief forester of Nicholforest,* and a grant for the repair of the said castle, of certain lands in Bewcastle dale, lately belonging to Sir John Middelton, and the park of Plumpton † in Inglewood Forest, and an annuity of £40, payable as to one-half out of the manor of Sowerby and as to the other half out of the manors of Randollinton, Arthuret, and Liddel in Nicholforest (*Ibid.*, vol. i., p. 746); and in the following year Thomas Musgrave was appointed to the same offices, and was granted the same lands and annuity (*Ibid.*, vol. ii., part i., p. 285). But in December, 1527, William Lord Dacre was made constable of Bewcastle and chief forester of Nicholforest on the vacation of these offices by Thomas Musgrave (*Ibid.*, vol. iv., part ii., p. 1672), and he complains to Wolsey that Bewcastle is in such decay that no man can dwell there, for Thomas Musgrave has spoiled it, taken away all the lead, and broken the glass windows (*Ibid.*, vol. iv., part ii., p. 1827).

In April, 1531, Sir William Musgrave was appointed constable and chief forester (*Ibid.*, vol. v., p. 106), and in October of the same year the following incident occurred. John, Ingram, and Richard Musgrave, sons of John Musgrave of Bewcastle, had a dispute about some horses with the Armstrongs. In the fray which ensued an Armstrong

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* It is called "the forest of Nicholas" in 1346 (*Calendar of Close Rolls*, 20 Edward III., part i., p. 30).

† The tenants of Plumpton complained in 1565 that they had to carry all the captain of Bewcastle's hay and corn a distance of 15 miles (*Calendar of State Papers, Domestic, Add.* Elizabeth, p. 566).

was struck with a spear by "John Musgrave the younger," and died immediately. The Musgraves fled to Bewcastle pursued by the Armstrongs, and John the younger would have been taken if the drawbridge had not been hauled up. John Musgrave from the walls refused to deliver up the felon (*Ibid.*, vol. v., p. 225).

In 1532* Lord William Dacre paid £100 to Sir William Musgrave for the repairs of Bewcastle (*Ibid.*, vol. v., p. 596).

It appears from a letter written in 1537 by the Duke of Norfolk to Cromwell that Sir William Musgrave, who had the rule there, lived in London, and Jack of Musgrave, a bastard, was his deputy—a tall, hardy man, but not meet to have the rule of so many ill men† (*Ibid.*, vol. xii., part ii., p. 86). But the latter distinguished himself five years later, when he and the Grahams "pricked sore" at the Scottish army at Solway Moss (*Ibid.*, vol. xvii., p. 617); and in 1544 John Musgrave, "the king's servant," was appointed constable of the castle of Bewcastle, with the same rents from Bewcastle dale as Sir John Middelton had (*Ibid.*, vol. xix., part ii., p. 418).

The last-named John Musgrave, sometimes referred to in contemporary records as "Jack à Musgrave," is an interesting personality, though his name does not appear in the published pedigrees of this eminent local family. In 1543 Sir William Musgrave obtained licence to settle certain lands upon John Musgrave of Bewcastle for life with remainders to Adam, John, and Ingram, sons of the said John, respectively (*Ibid.*, vol. xviii., part i., p. 366).

Not only did Jack Musgrave himself marry a daughter of Thomas Chamber of Raby Cote, but his daughter married another Thomas Chamber of the same place. The inscription upon her tombstone refers to him as

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* The payment is wrongly assigned by Nicolson and Burn to a much earlier date.

† The same letter mentions that "the house at Rockcliffe" built by Thomas Lord Dacre was then occupied by the Grahams.

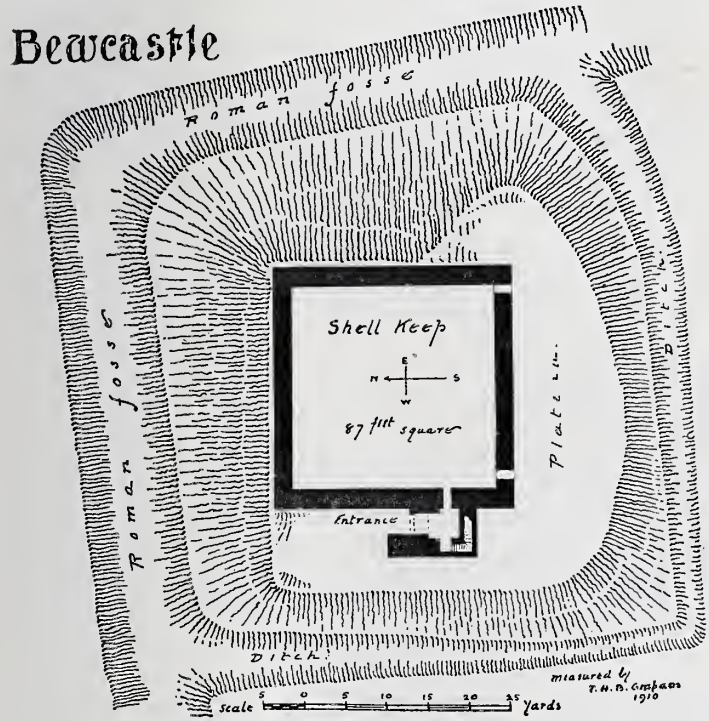
"Jack Musgrave, captain of Bewcastle, knight" (these *Transactions*, N.S., vol. i., p. 202). So far as I can ascertain he was never knighted, and there may perhaps be some confusion here with Sir John Musgrave, who had also been captain of Bewcastle.

Sir Simon Musgrave,* a younger brother of Sir William, succeeded "Jack" at Bewcastle, and had his own son Thomas as deputy. The latter was styled "Captain Musgrave" when he entertained Bothwell there in 1592 (*Calendar of State Papers, Scotland*, p. 610). He was re-appointed constable of Bewcastle for life by James I. in 1607 (*Calendar of State Papers, Domestic*, James I., 1603-10, p. 360), but the same king, in 1614, leased to the Earl of Cumberland the castle and lands of Bewcastle, "formerly kept by an officer" (*Ibid.*, 1611-18, p. 242). And thus ended the long connection of the Musgrave family with this ancient border fortress.

The castle is built in an angle of the Roman station, so that it is protected on the north and east by the broad fosse 12 yards in width. On the other two sides a narrow ditch, three yards wide, has been cut to complete the circumvallation. The main building is a square block of walling seven feet thick, to whose western flank has been attached, perhaps as an afterthought, an entrance tower facing north. The south wall of the main building is nearly perfect, and retains most of its facing stones. There is a string-course at the height of seven feet from the ground, above which the thickness of the wall is somewhat reduced. There were only two windows high up in the wall on this side—one seven feet from the east angle, and the other, now blocked up, ten feet from the west angle. Within, at the height of about 12 feet from the ground, is a series of square holes into which were inserted the beams of the upper floor, and in the space

* He was already captain in 1570 (*Calendar of State Papers, Domestic, Add.* Elizabeth, p. 429), and his second cousin Leonard Musgrave of Cumcatch, near Brampton, describes himself as deputy captain in 1567 (*Ibid.*, p. 35).

between the windows are the remains of two chimney flues. The east wall is pierced, six feet above the ground level outside, by two openings for ventilation—one measuring seven inches square at the distance of 12 feet from the south angle, and the other measuring six inches square at 29 feet from the north angle.



The gateway tower is 12 feet square internally, and from a recess on its western side a flight of steps, 27 inches broad, winds upward through the thickness of the wall to a short passage, ending in a *cul de sac*, and lighted by a window facing south. There are two peep-holes from this passage to the interior of the gateway tower. The western wall of the entrance tower is extended eight feet north-

ward, so as to conceal persons entering or leaving the castle. Inside the gateway are two long openings running right through this wall, into which the stout wooden bars for securing the outer door were shot back when not in use.

Chancellor Ferguson considered that a castle was built here in the reign of William Rufus to prevent the Scots from availing themselves of the adjacent "Maiden Way" (*History of Cumberland*, p. 140), but a recently expressed opinion limits the date of its erection to the period between the great raids of 1296-7 and the death of Edward I. in 1307 (*Journal of British Arch. Association*, N.S., vol. xiv., p. 207).

Triermain Castle.

There can be no doubt that Triermain was included in "the land of Gillēs Bueth" which Henry II. granted in 1157 to the patriarch Hubert de Vaux, for it has always formed part of Gilsland. Triermain had previously been in the occupation of a native chief Gilemor, son of Gilander, who built a church there (these *Transactions*, N.S., vol. ii., p. 243, note). It was a timber structure, and a chapel of Walton parish. Hubert's son Robert gave "ecclesia de Walton cum capella de Treverman" to the priory of Lanercost when he founded it in 1169 (Dugdale's *Monasticon*), and so in 1346 Trevermane is described as being in the "parish" of Lanercost (*Calendar of Close Rolls*, 20 Edward III., part i., p. 30). Robert de Vaux, grandson of Hubert and lord of Gilsland, gave Gilemor's lands—that is to say, the manors of Triermain and Torcrossok (Tercrosset)—to his bastard brother, Roland de Vaux, to hold of the barony (Prescott's *Wetherhal*, p. 120).

They were enjoyed by his lineal descendants Alexander and Ranulf (Denton's *Accompt*, p. 143), and in 1295 Robert de Vallibus, or de Vaux, of Treverman held that free tenement of Thomas de Multon of Gilsland, by the service

of one-seventh part of a knight's fee (*Calendar of Close Rolls*, 23 Edward I., p. 416). Licence was given on February 4th, 1340, to Roland de Vaux to crenellate his dwelling place of Trevermane in the march of Scotland (*Calendar of Patent Rolls*, 14 Edward III., p. 417).

In 1352 Roland de Vaux made a feoffment of Torcrossok manor and Threcherman to Roland his son and Johanna his wife, with remainder to himself the said Roland senior (*Calendar of Inquisitions post mortem*, 27 Edward III., p. 184). And in 1485 a Roland Vaux still held lands in Trethremane and Torcrossoke of the barony of Gilsland (*Ibid.*, 1 Henry VII., p. 67). No definite information about the castle and its surroundings is forthcoming until the close of the sixteenth century, when an inquisition was held in August, 1588, at Carlisle, by Alexander King, auditor of the Queen's Exchequer, of all the manors late in the possession of Leonard Dacre, Esq., attainted of high treason.

The record of the findings at this inquisition are of the highest interest and importance. Hutchinson made copious extracts from an apparently incomplete copy, which was then in the possession of Mr. J. Graham, attorney of Carlisle. In the following passage I have modernised the spelling of words other than place-names, and it will be noticed that the clerk who drew up the verdict had no personal knowledge of the localities therein mentioned :—

MANERIUM DE TRADERMAYNE.

Lord's rents, £13 5s. 6d. Bailiff's fee, 13s. 4d. Land Serjeant's fee, 3s.

Memorand. The site of the said manor of Tradermayne was sometime a fair castle called Tradermayne Castle, a house of great strength and of good receipt. It stood and was built opposite to the wastes of Scotland and Tyndell, and about six miles distant from Lydderesedell, and was a very convenient place both for annoying of the enemy and defending the country thereabouts, but now the said castle is utterly decayed.

Item. There be divers and sundry groves and places of wood

within the said manor viz—Willparke, Halegarth wood, Dundell wood, &c.

Item. There are divers commons of heath and moor grounds belonging to the said manor, viz. Wisey Rigg, Torthoy (Torties), Dundell Rigg (Dumblar Rigg), Graggell (Craighill), Malescroft, Knorren Moor, and others, containing 500 acres, wherein the tenants of this manor have common of pasture for their cattle.

Then the boundaries are given, and it is possible to follow them with the aid of the Ordnance map.

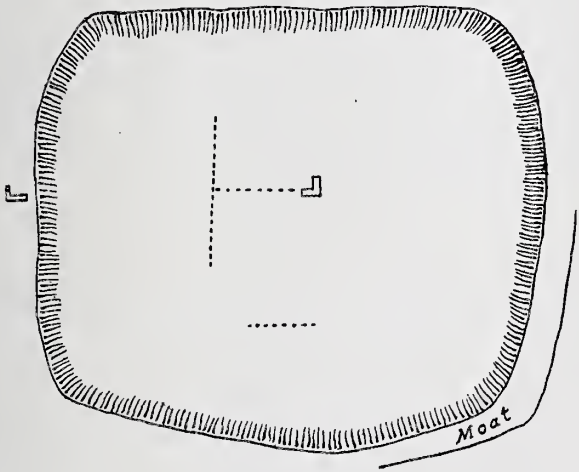
Item. The bounder of the said manor beginneth at the foot of Knorren, and up Knorren to the foot of Cragg-burne, so up to the head of Cragg-burne. From thence to the Graystone over against Grenese burne (Greens burn). From thence up the heads of Dundley rigge (Dumblar rigg) to Troutebeck (Trout-beck). From thence up King to the Middle Shealdes. From thence to Irdinge. From Irdinge down to Brudessolle (Burdoswald), from thence to the Wall Bowers, from the Wall Bowers to the Ragg-hill (Craighill), from thence to the Frier Waine-gate, from thence to the Harehirst, and from thence to the Stone cross, and from thence to the foot of Knorren where this bounder first began (Hutchinson, vol. i., p. 100).

Two of the above mentioned localities are again mentioned in describing the boundary of the manor of Walton Wood, which abuts upon that of Triermain. "From the Swates Rigg . . . to the Frier-waine-gate, and so over the water and down to a ditch till it cometh almost to the houses called the Harehirst" (*Ibid.*, p. 101). The Frier-wainegate, or wagon road used by the monks of Lanercost, crossed the river King at a point still known as "the Wain-gate," two miles due north from the priory as the crow flies. That point is marked by a bridge with precipitous approaches.

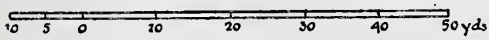
It is therefore evident that Harehirst is the hamlet called Hardhurst in Fryer's county map of 1818, and Hardest on the Ordnance sheet. The suffix "hurst," meaning a wood, is unusual in Cumberland place-names, but here within a narrow compass occur Flowery Hirst near Lineholme, the Hurst near Tercrosset, Burthing-

hurst and Hardhurst near Walton Wood, Birkhurst and Long Hurst near Naworth, and Hawkhirst near Brampton.

A halo of romance is shed around the castle by Sir Walter Scott in his poem "The Bridal of Triermain.* I have adopted his familiar spelling of the name, but it occurs elsewhere as Treverman (1295), Trethremane (1485), and Tradermayne (1588), and there is nothing



TRIERMAIN CASTLE



(North at the top of page.)

romantic about the solitary shaft of masonry propped by buttresses which still rears its head in the landscape from a low grassy mound. The shaft once formed the angle of a building which faced the cardinal points of the compass, but that it was an internal structure is shown by the

* Coleridge's "Christabel" also uses the name, though little more, in aid of romance.

spring of two doorway arches visible on the south side. The surface of the mound on which it stands is encumbered with blocks of fallen masonry, and the original extent of the building could be ascertained by digging.

There are traces of a moat on the southern and eastern sides. At the foot of the mound on the western side, and on what was probably the edge of the moat, are the remains of a building of much less massive construction than the castle itself, the southern and western walls being respectively only four and two feet thick.

Fryer's county map shows a mansion called "Demesne" near the road a quarter of a mile east of the castle (thereon called "Toddermain"), and the former name seems to indicate the cultivated field of the manor.

Askerton Castle.

The castle was built, according to Camden, "by the Barons Dacre," and it probably occupies the site of the older manorial mansion. It was visited by our Society in 1905 (these *Transactions*, N.S., vol. v., p. 295). The road to Bewcastle traverses its wild park for more than a mile. Two furlongs north-east from the castle is a conspicuous eminence called "Gallows Hill," which has doubtless been the site of the manorial gibbet, while about the same distance south-west of Askerton is another hill called, presumably for the same reason, "Gallowberry." The accompanying plan shows the outline of the original building, while the following concise account, contained in a note at page 176 of the *Household Books of Lord William Howard* (Surtees Society's publications), describes its present appearance :—

Askerton Castle, now used as a farmhouse, is a very interesting specimen of a small Border fortress. The type of the larger castles is followed upon a lesser scale. It does not seem to have grown out of a pele tower as so many of them did, but to have been built in its present form at one time or nearly so. Two square towers flank the central part of the building, which faces the south . . . .

The angles (formed by the junction of the towers with the central building) have been contrived to accommodate the external apertures of the latrines in the upper stories of each tower. The initials T. D. on the weather moulding of the south-western tower seem to identify Thomas Lord Dacre* as the builder.

Behind is a small quadrangle, with a curtain wall to the east, and the stabling to the north. Over the latter have been apartments, as is shown by old fireplaces and mullioned windows now walled up, but all in their original position. The space is now used as a hay loft. The western side of the little quadrangle is occupied by a building attached to the south-west tower, which was probably the hall. It has a three-light window at its northern end, probably inserted by Lord William Howard. Each tower has very small square openings to the south, for the admission of light and air, high up in the wall. Similar openings occur in the upper story of the central building. The other windows in this portion are modern, except a two-light mullioned one of sixteenth century work. In the apartment now occupied as a kitchen is a wide arched fireplace, on the mantle of which is carved in low relief THOMAS CARLETON IUNIOR 1576.

Auditor King's inquisition of 1588 gives the following account of the castle and its surroundings:—

MANERIUM DE ASKERTON.

Lord's rent, £26 8s. Bailiff's fee, £1 6s. 8d.

Memorand. There is situate within the said manor one castle called Askerton Castle, which is at this present in very great decay. If the same were in good repair it were a house of very good receipt and of convenient strength against any common or sudden assailing by the Scots, and is about two miles distant from the castle of Bewcastle.

Item. There is belonging to the said castle a park called Askerton park and certain demesne lands.

Item. There is within the said manor a great waste of heath and moor ground called the North Moor, containing by estimation 2000 acres or more. Part thereof adjoineth to the wastes of Scotland, and another part thereof adjoineth to the wastes of Tyndell, in which the tenants of this manor and tenants of divers other manors in Gilsland have use to shiel or common their cattle in summer time, viz. from St. Ellenmas unto Lammas, and to pay for the same the

* He writes in 1517 to Queen Margaret "from my manor of Askerton" (*Calendar of State Papers*, Henry VIII., vol. ii., p. 1171).

yearly rent of 70s. 4d., which rent was paid by the tenants of the lordships following, viz.—Askerton 29s 4d., the demesnes there 8s., Treddermaine 17s. 4d., Walton Wood 4s., Brampton 6s., and Irthington 6s., of which said rent there hath been answered nothing by divers years past, but only for the demesnes of Askerton 8s. The cause of the decay of the said rent is for that the said tenants dare not use the said common of shieling, as in times past they have been accustomed, for fear they should be robbed and spoiled of their said cattle and goods by the Scots.

Item. There are within the said manor divers other commons, &c., containing by estimation 300 acres, &c.

Item. There are within the said manor two parsonages, the one called Stapleton and the other called Kirkcamok, and either of them have glebe land belonging to the same, and both of the said parsonages are at this present void of any incumbent.

The boundaries of the manor are unfortunately omitted in the copy of the survey quoted by Hutchinson (vol. i., p. 98), and there are several points which require comment.

A similar common of shieling—that is to say, the pasturing of cattle under the care of herdsmen living in temporary shiels or huts—is noticed in the case of Bewcastle (Denton's *Accompt*, p. 146).

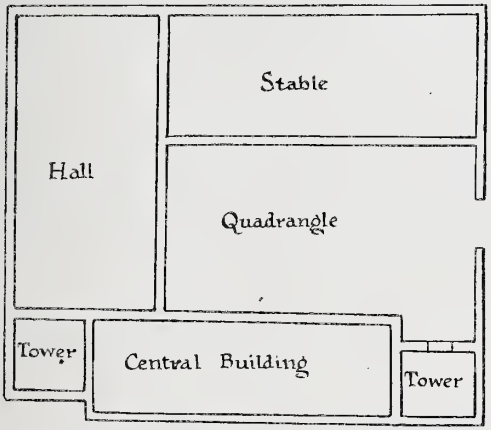
If Askerton North Moor actually abutted on the Scottish border, the manor must have included a long narrow strip of fell intervening between the county of Northumberland on the east and Nichol forest and the manor of Bewcastle on the west. In 1295 Isabel, the widow of Thomas de Multon, had assigned to her in dower "Askerton with the chief messuage, and a moiety of le north more, which is a member of the barony of Gilsland" (*Calendar of Close Rolls*, 23 Edward I., p. 416).

Again Askerton is made to comprise Stapleton and Kirkcambeck, but each of them was an ancient manor in itself, though held of the same barony, and the former is mentioned as such nine years later (these *Transactions*, N.S., vol. viii., p. 63).

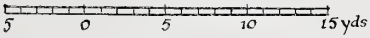
The manor of Kirkcambeck belonged in Henry II.'s time to Alfred Cammock (Denton's *Accompt*, p. 144), and

in 1295 to Richard de Tirergh of Cambok, who held it of Thomas Multon, lord of Gilsland, by one-eighth part of a knight's fee (*Calendar of Close Rolls*, 23 Edward I., p. 416).

In 1306 Thomas de Leveresdale held Camboc of Thomas de Multon as of the barony of Gilsland, and was succeeded by his son Thomas (*Rot. Fin.*, 35 Edward I., m. 8). Later on a portion of the manor was in the hands of the Stapletons of Edenhall, for in 1368 William de Stapleton and Mariota his wife (see pedigree, these *Transactions*, N.S., vol. v., p. 294) made a feoffment of



Sketch plan of ASKERTON CASTLE



Cambok hamlet to Adam Armstrong with remainder to himself the said William (*Calendar of Inquisitions post mortem*, 43 Edward III., p. 301). It is significant that Cambok is here called a hamlet, because the church on the Cambeck (pronounced Cammock), which gave the manor its name, had been demolished and not rebuilt, for it is stated in 1346 that "Cambok with the parish of that town was totally burnt and destroyed by the Scots after Michaelmas last" (*Calendar of Close Rolls*, 20 Edward III.,

part i., p. 30). In 1467 Margaret Stapleton of Edenhall had one-third of the manor and advowson of Camboke (*Calendar of Inquisitions post mortem*, 8 Edward IV., p. 344), but it appears by the bishop's register that no appointment to the living was made after 1386 (Nicolson and Burn, ii., p. 506). Lastly, in 1485, the respective heirs of Robert de Lyversdale and of William Stapleton held their lands in Kirkcambok of Humphrey Lord Dacre (*Calendar of Inquisitions post mortem*, 1 Henry VII., p. 67).

When pursuing the subject of this paper one meets at every turn with the Dacres, an illustrious family who attained to the pinnacle of fame and power. The accompanying pedigree will show at a glance who were the individual members to whom reference is made.

I desire to express my thanks to Mr. J. F. Curwen for producing, from my measurements, the small-scale plan of Bewcastle, and for other valuable help in writing this paper; and to our Editor for kindly re-drawing to scale my rough plans of the other castles herein described.

The Dacre Family (see Cokayne's Peerage).

- RANULPH DE DACRE obtained a market at Orton, Westmorland, 6 Edw. I., 1277.
  - WILLIAM DE DACRE had licence to crenellate Dunmalloght, 1 Edw. II., 1307; d. 12 Edw. II., 1318. = JOAN, dau. of Benedict Gernet.
    - RANULPH LORD DACRE had licence to crenellate Naworth, 9 Edw. III., 1335; d. 13 Edw. III., 1339. = MARGARET, dau. of Thos. Lord Multon of Gilsland, m. 1317; d. 36 Edw. III., 1361.
      - WILLIAM LORD DACRE = KATHERINE. d. s.p., 1361.
      - RANULPH LORD DACRE, d. unmarried 49 Edw. III., 1375.
      - HUGH LORD DACRE = ELIZABETH MAXWELL. d. 7 Rich. II., 1383.
        - WILLIAM LORD DACRE = JOAN DOUGLAS. d. 23 Rich. II., 1398.
          - THOMAS LORD DACRE DE GILSLAND, chief forester of Inglewood, d. 1457-8. = PHILIPPA, dau. of Ralph (Nevill), 1st Earl of Westmorland.
            - SIR THOMAS DE DACRE predeceased his father. = ELIZABETH, dau. of Sir Wm. Bowett.
              - JOAN BARONESS DACRE heiress general, d. 1486. = SIR RICHARD FIENNES of Hurstmonceux, Sussex, in her right *Lord Dacre of the South*, d. 1484.
            - RANULPH LORD DACRE DE GILSLAND, d. unmarried. Slain at battle of Towton, 1461; attainted, 1461.
            - HUMPHREY LORD DACRE DE GILSLAND attainted 1461, attainder reversed 1473; heir male; warden of the marches 1484; d. 1 Hen. VII., 1485; bur. at Lanercost. = MABEL, dau. of Sir Thomas Parr of Kendal.
              - THOMAS LORD DACRE DE GILSLAND *Lord Dacre of the North*, K.G., warden of the West Marches 1509-1525; d. 18 Hen. VIII., 1525; bur. at Lanercost. = ELIZABETH, Baroness Greystock, m. 22 Hen. VII., 1506; d. 8 Hen. VIII., 1516.
                - WILLIAM LORD DACRE DE GILSLAND warden of the Marches, accused of treason but acquitted 1534; d. 6 Eliz., 1563, at Kirkoswald; buried in Carlisle Cathedral. = ELIZABETH, dau. of George (Talbot), Earl of Shrewsbury.
                - THOMAS LORD DACRE DE GILSLAND d. at Kirkoswald, 8 Eliz. 1566; bur. in Carlisle Cathedral. = ELIZABETH, dau. of Sir James Leyburne of Cunswick, Westmorland. She died 1568, having mar. 2ndly Thos. (Howard), Duke of Norfolk, beheaded 1572.
                - LEONARD, claimed title as heir in tail male; attainted; d. s.p.
                - EDWARD, attainted, d. s.p. 21 Eliz., 1578.
                - FRANCIS, attainted, d. 8 Char. I., 1632. = AVIS DOWNHAM.
                - GEORGE LORD DACRE DE GILSLAND, killed by accident, 1569.
                - ANNE m. Philip (Howard), Earl of Arundel.
                - MARY, m. Thos. Howard, afterwards Earl of Suffolk. She died s.p.
                - ELIZABETH, m. Lord William Howard.
                - RANDAL, last heir male, d. 1634.

TO FACE 258.

ART. XVIII.—*Mauld's Meaburn, the Alston Mines, and a branch of the Veteriponts.* By the Rev. FREDERICK W. RAGG, M.A., F.R.Hist.S.

FROM documents which will be specified later on, of the beginning of the reign of Henry VI., we learn that John lord de Clifford was found by his Inquisitio post mortem to have died possessed of the manors of Aldeston (Alston), Elryngton, and Gerardgill (Garrigill), which had belonged to "Nicholas de Veteriponte the last, deceased," and that these manors were in the hands of Elizabeth de Clifford, widow of lord John and Elizabeth, widow of Thomas lord de Clifford, father of lord John, as custodians of the manors, tenements, and castles of Thomas de Clifford, son and heir of lord John, till he came of age. These manors and the mines of Alston were claimed in 1 Henry VI. (1423) by William de Stapilton and Mary his wife as their inheritance. At that date the son of William, another William, had already been married to Margaret, daughter and heir of Nicholas de Veteripont and lady of Alston Moor, as the inscription on the tomb which holds her and her husband at Edenhall describes her.* Her husband, William de Stapilton the younger, died in 1458, leaving two daughters as co-heiresses, who at that time (Inquisitio post mortem, 36 Henry VI., No. 48) were widows, and at the time of Margaret's death in 1469 (Inquisitio post mortem, 8 Edward IV., No. 40) were returned as one of the age of 55, and the other of (perhaps) 49.† Fifty-five from 1469 takes us back to

* The brass has figures and the inscription "Hic jacent Willius Stapilton armiger quondam dominus de Edenhall qui obiit xxvj die Augusti A D M°CCCLVIIJ et Margareta uxor ejus que erat filia et heres quondam Nicholai de Veteripont et domina de Aldeston Mor quorum animabus propicietur Deus."

† The document is in parts very difficult to decipher.

1414, and to the marriage of the heiress of Alston Moor at an earlier date than that. And, moreover, the grant of Alston to John de Clifford could not have been made till after the death of Nicholas, whose daughter Margaret was.

Here we have preliminary signs of a complicated history. Why do William and Mary claim and not William and Margaret, the heiress of Alston Moor? The complication deepens as we proceed This will be seen below. And working backwards also through what records still exist we come to points that need sound argument to make them clear. Records are sparse except at intervals. They are abundant at the time of Edward I., though even so defective. Some are given in digest by Bain,* but his purpose was Scottish history, and the especially local matters of interest which belong to our Society's field are naturally not dwelt on. The most convenient approach to the whole history is perhaps afforded by the accounts of the trials in the Courts of Edward I. as given in *Placita de Quo Waranto.* Herein we learn (p. 197) † that Robert de Veteripont was summoned before the justices in eyre to account to the king for his possession of the manor of Aldeneston with its belongings, "which was part of the demesne of the Crown in Cumberland." Robert's attorney represented that William "the elder," king of Scotland, granted the manor together with other lands in Tyndale to William de Veteripont, his ancestor, whose heir he was, and that William "the second," king of Scotland, conceded and confirmed this grant to Ivo de Veteripont, son of William, and to Ivo's heirs, by a charter produced in Court, and that John, king of England, the king's grandfather, confirmed this confirmation by another charter which he produced, dated May 17th, in the

* Calendar of documents relating to Scotland preserved in the Public Record Office.

† This case is given from Assize Roll 1076 m. 8 d. amongst the Yorkshire cases.

eleventh year of his reign. This is curious. There had been but one William, king of Scotland.

But, we are told, Alan de Walkingham, prosecutor for King Edward, called on Robert to show any proof he had of the grant of the aforesaid William the elder, king of Scotland, and there was none to show. Thereupon Alan asked for judgment to be given for King Edward's side, since Robert alleged, but without proof or warrant, that William the elder gave the manor to his ancestor, and could only produce a concession and confirmation given by the second William, king of Scotland, and the confirmation of this by King John; these he did not allow were proofs of a former grant. Moreover he asserted that Ivo, to whom the confirmation of possession was granted, had a "son and right heir living, Laurence," and that "J." said that Robert (who was son of Nicholas) had nothing in the aforesaid manor except through intrusion, putting himself into possession.* The case was to be heard in the subsequent Trinity term.

Independently of this but yet not altogether so, the same prosecutor brought a case against Alexander, king of Scotland, requiring to know on what ground he claimed to have sundry liberties in the manor of Aldeneston (Alston) which was part, he again asserted, of the demesne of the English Crown in Cumberland. King Alexander's attorney stated that these rights were what Alexander and his ancestors had held from time immemorial, and that they belonged to the Crown and dignity of the king of Scotland. And being asked whether he could produce charter or muniment which made mention of the grant of these liberties, replied that he could not. Alan then demanded judgment whether there was sufficient warrant for the king of Scotland's claim seeing that he could show nothing which had special mention of such a concession

* If this plea had been sound, Lawrence, who certainly was alive, could have had an assize of mort d'ancestor against Robert with all the chances in his favour.

of liberties, and no one held these in the realm, he said, except by special grant of the English kings. He further charged the ancestors of Alexander with encroachments in the days of King John and King Henry, the king's father; and Alexander himself with encroachments in King Henry's days. The attorney for Alexander denied the charge, and like the English prosecutor appealed to trial by jury. This case was also to come off in the succeeding Trinity term. The record of both cases is brief enough, and as far as it goes seems sufficiently clear, although in Robert's case one is left uncertain who "J." was. Perhaps it stands for "jurata"—the jury. We gain at any rate from the Veteripont trial a first impression that Robert's attorney had not the earliest charter to produce, and that, besides, perhaps the king's prosecutor took advantage in a quiet satirical way of the mistake of making two Williams kings of Scots. But after wading through several other documents concerned with these trials, we discover that these impressions would be wrong. Unfortunately the date of this trial is not given, and we have to go through a real mental debate with the documents to settle it. It will, I think, be shown that it was most probably in the Easter term of 1279, and somewhat late perhaps in that term.

For what in part seems to have led up to it was this. An assize was held November 2nd, 1278, by John de Vallibus and William de Saham and their associates in eyre at Carlisle.* Questions about the Alston mines, called the mines of Carlisle, came up, and they looked into the records of assizes past, and they found that Richard de Levington, kt., and William de Dacre, in 31 Henry III., then sheriff of the county, held an assize at Alston. They were sent thither by the justices in eyre "according to the custom of the mine and the liberties of the miners." This appears to have been the last assize

* Assize Roll 143.

thitherto held at Alston. The justices came to the conclusion that there had been alienation of the mines, and withdrawal of them from the authority of the king. They had the question gone into before a jury of knights and seneschals of the large owners and freeholders of the county. This jury stated on oath that alienation had been made by Ralf de Levington, who held the manor of Alston at "firm" (as lessee) of Nicholas de Veteripont, and that when the lease was over and the manor was again in the hands of Nicholas the alienation was continued, and after the death of Nicholas, Robert his son prolonged it and allowed the coroners of the king of Scots of Tyndale to discharge the duty of coroner, whereas that duty belonged to the serjeant of the mine on behalf of the king of England. Robert was accused by them of sheltering criminals. He was not present in court. And the justices decided to take into the hands of the king (*i.e.*, to sequester) the mine, the moor, and the waste of Alston, and to send to Alston Hugh de Multon of Hof, kt., and Robert de Wardewyk to "hear and terminate" the Crown pleas which had emerged since the last assize. These held their court on Monday, January 16th, 1279 (the Monday after St. Hilary), when the following presentments were made by the jury there*:—That Ralf de Levington, deceased, while he held the manor of Alston at firm, *i.e.* as lessee of Nicholas de Veteripont, removed the gallows of the king from Amestehou (Ameshaugh) to Bales (Bayles), and that Robert, son of Nicholas, held trials of felons there contrary to the liberty of the mine, by what warrant they did not know, and that before the miners had been thus withdrawn from the authority of the English king neither Nicholas de Veteripont nor his ancestors had any liberty of holding trials for theft in their court at Alston, and that such trials ought to be held at

* Assize Roll 132.

the court of the mines and nowhere else.*—Robert was to be amerced for various fines which he and his father had imposed on felons, because they had taken possession of their goods without warrant. They stated also that Nicholas de Veteripont had appropriated the right of free warren and free chace "within the mine," *i.e.* the liberty of the mine, by what warrant they did not know.—This matter was to have a further trial.—Again, that Robert had obstructed a useful road leading from Alston to Gossipesgate, to the detriment of the mine; he was to remove the obstruction at his own cost under the supervision of the jury.—And again, that Robert had sheltered, keeping him from the justices, a fugitive from Cumberland, John, son of Sirede de Bosco, who had killed Adam, son of Adam, son of Martin de Laysingby; John was to be produced—The jury were asked whether Robert had sheltered any other fugitive, and answered "no" Various accused persons were then tried before the king's justices —one for burglary, for carrying away crops that belonged to Laurence de Veteripont, and for robbing a woman whose name was unknown, at Croscrun; another for stealing a cow belonging to Nicholas de Veteripont. These were acquitted. A complaint was next made by John, son of Aldritha, that William de Belingham, bailiff at Werk† of the Scottish king, had seized and imprisoned him, and kept him in prison for 40 days so as to exact 20s. for his ransom, and he petitioned for redress. William denied the charge and the jury acquitted him, but said that Robert de Veteripont had sent this man to Werk and had had him imprisoned there till he paid his redemption money, because he had stated that he was a subject of the king of England. The advowson of Alston Church was next asserted to be the king's right, but the

* Nullam libertatem habuerunt faciendi judicia de latronibus in curia sua de Aldeneston set si aliquid hujusmodi judicii fieri debuisset hoc fieri deberet in curia minatorum et non alibi infra mineriam.

† Wark in Tyndale, not Wark on Tweed.

prior of Hexham held it, the jury said, by gift of Ivo de Veteripont deceased.* The next is a most interesting point—"The jury present that the lord king ought to have every ninth 'disk' of ore (*discum mine*) which the miners dig out, and it should be understood that the 'disk' † ought to be of weight and size sufficient to hold an amount of mineral such that a strong man is needed to lift it from the ground." ‡ And from the sale of the other eight disks the king should have every 15th penny realised, it being understood (*ita scilicet*) that the king provide at his own expense for the miners a man called "drivere," who understands how to separate the silver from the lead. The jury were asked what the mine was worth yearly, and replied that that could not be known except in the actual working; it depended on the amount and quality of the metal obtained. There was sufficient mineral there, they said, to last till the end of the world. And they said that "Robert" de Levington at the first prevented them from mining, and then began to have the mine worked in the time of Nicholas de Veteripont, and that Nicholas had also acted thus.

The results of this and of the Carlisle assize seem to have been an appeal sent to the king or to King's Bench, and a writ from the king dated April 5th, 1279, reached the justices in eyre, of which the following is the purport§ :—

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* Ivo's grant to Hexham Priory of the church of Alston and the chapel of Gerargill was sanctioned by Henry III. in an "inspeximus," and is recorded on the Charter Rolls of 17 Henry III., m. 15 (November 21st, 1232), but the charters are not transcribed. The mere particulars of two tofts and all the land belonging, in his demesne at Alston, and of the advowson of both being given, is all that is recorded.

† "Discus debet esse tam magni ponderis et tante mensure quod continet tantam mineriam quantam unus homo fortis potest elevare de terra." As it was the ore extracted and not the smelted metal, I can but suppose the "disk" to have been a pan or tray or scale such as is used for weighing, but of large size.

‡ *Diskr* was the Norse form of the English *dish*, which is still used as a term of measurement for ore in mining; see the New English Dictionary, s.v. *Dish*. —Ed.

§ Assize Roll 143.

Edward by God's grace king of England, lord of Ireland and duke of Aquitaine to his beloved and faithful justices in eyre in Westmorland John de Vallibus and his associates, greeting; our miners of our manor of Aldeneston in Cumberland have represented to us that whereas they hold that mine with its silver and lead and all its other belongings by payment to us from it yearly of 10 marcs by the hands of our sheriff of Cumberland, saving to us the revenues and profits of the mine and the attachments and the pleas that belong to the Crown there, and saving to the miners their proper and customary stipends for converting the ore into lead and silver; and that whereas our father Henry, king of celebrated memory, took them and their men and their lands, rents and all their possessions into his special protection and granted to them that they should continue to have the same liberties which they had held in the times of our predecessors, kings of England, forbidding any one under penalty of £10 to infringe their rights in this; nevertheless Nicholas de Veteripont and Robert his son of Kerkehalgh (Kirkhaugh) in the marches of Scotland, men of our most dear brother Alexander king of Scots, have taken forcible possession for 40 years past, without warrant or assent of our aforesaid father or any reasonable cause, of the aforesaid manor over the heads of our aforesaid subjects some of whom they have seized and have carried away into Scotland to be incarcerated, some they have slain; they have harassed them unceasingly with exactions and extortions of money for ransom and with other enormities, to the disinheriting of us and of our subjects; asserting the aforesaid manor to belong to the kingdom and the fief of the king of Scotland and not to our kingdom and our fief, and keeping possession of the manor thus seized; and the aforesaid Robert after his father's death continued to keep possession till you in your late eyre took the manor into our hands. Other very great injuries our miners represent have been continually wrought by them contrary to the peace of the lord king our father and our own peace and contrary to the aforesaid protection granted: and although you in your office on your late eyre made restitution of the manor to be held of us as it was held of our royal father and appointed bailiffs and coroners in the manor according to wont, the aforesaid Robert notwithstanding this, with a band of evildoers and disturbers of our peace has frequently since prevented these bailiffs and coroners from the execution of their duty, and hinders us from having possession of our manor. Wishing therefore that such enormous wrongs to ourself our bailiffs and our other subjects should not be done unpunished, and also to have precise knowledge of the record and process of the trials, we command you to send the record with all that throws light upon it under your seals so that we may have it in

the Octave of Holy Trinity wherever we may be in England; and return this writ with it, and cause the aforesaid Robert to be attached by our sheriff of Cumberland that he may have him to appear before us in the same term to hear the record and to give account to us for the occupation aforesaid and for the slaughter of our subjects and the other trespasses. And we have commanded the sheriff that at your mandate he shall do this and shall support and protect the bailiffs and coroners in the manor whom you in our name placed in seisin thereof. Witness ourself at Lechlade, 5 April in the 7th year of our reign.

More of what was happening that Spring we learn from the letter sent by the justices in eyre, John de Vallibus and his associates, to R. de Hengham, justice in King's Bench, of which the purport is this* :—

John de Vallibus and W. de Saham and their associates justices in eyre in the County of York to their well beloved friends and associates R(alf) de Hengham and his associates, justices for pleas before the lord king (coram rege) greeting. Since the king after the representation (*ad ostentationem*) of his miners of Alston, of late commanded us by his writ to send the record of the processes in Court about the manor of Alston to him wherever he might be in England in the Octave of Holy Trinity, we send to you under our seals the record, together with the king's writ, giving you to understand that the aforesaid miners in their appeal (*impetracione sua*) made a false suggestion to the king in representing that we took the manor of Alston into the king's hand and that we ought to have made restitution of it to them to be held of him as they held it forty years back, before the occupation and alienation of it which Nicholas de Veteripont and Robert his son and their ancestors made over the head of King Henry, father of the present king: this will appear plainly and clearly in the record sent; for we took nothing into the king's hand saving the mine of Alston with its moor and waste land and its liberties. And because we felt insufficiently informed in the case by the inquisition held before us at Carlisle, we W(illiam) de Saham and J. de Metingham took with us the sheriffs of Cumberland and Westmorland and a sufficient company of knights and other freeholders and men of legal standing from these counties and made a more thorough inquisition into the alienation and usurpation aforesaid and into the rights (*jure*) of Robert son of Nicholas de

* Assize Roll 143.

Veteriponte and likewise into the right boundaries between Alston and Tyndale which we inspected with our own eyes and deliberated on (*quas vidimus et oculata fide perpendimus*), because certain bailiffs of the king of Scots from Tyndale had come before us and claimed that Alston was within the Scottish king's liberty of Tyndale. By means of this inquisition we found that the ancestors of Nicholas and Robert had no entrance into possession of Alston by any charter of the ancestors of the king of Scots as they claim to have, but that a certain Ivo de Veteriponte who by the appointment of his brother Robert was custodian of the mine on behalf of the king of England, used to receive from the miners for his services 100s: that is to say 2d for every beast that was pastured on the moor and waste, and by reason of the payment of this 100s occupied and appropriated to himself the lands and tenements within the bounds of Alston, which his heirs still hold in this way and not by any other right. We also found that before this usurpation there was neither manor nor vill (township) in the whole part of the moor and waste where the king's mines are (*nunquam fuit ibidem manerium nec villa in tanto more et vasti ubi minera domini regis fuit*), and that the following are the rightful bounds between Alston which is in Cumberland, and Tyndale: namely beginning from the head of Gilderdale burn and going to the Tyne, then ascending along the Tyne to the stream of Alneburn (West Allen?), then ascending by that stream to its head and going from the head of the mountain across to a place called Alnegrene ( ) then going from Alnegrene across to a place called Harecros.* Whence it appears the whole vill (township) of Alston with its moor and waste and all that belongs thereto is within the county of Cumberland and outside of the Scottish king's liberty of Tyndale; and this we do you to wit as ordered. And it is expedient that the lord king should have a writ issued about Robert de Veteriponte concerning the *manor* of Alston with its belongings, except the advowson of the church which the prior of Hexham holds, about which a separate writ should be issued. We send to you herewith transcripts of the charters of

* It should be understood that this perambulation was not of the whole bounds of Alston. The object was to determine whether Alston was or was not in the part of the Tindale valley which was held by the king of Scots as feoffee of the English king. The Scottish king's barony of Tindale was the more northerly part, that in Northumberland outside the boundary of Cumberland. The perambulation thus was to settle the north boundary of Alston, and began on the Gilderdale burn near the point where the boundary of Northumberland reaches it, and was continued across the Tyne valley and up the heights on its east side to a point on the ridge between Coalcleugh Moor and Kilhope Moor where the boundary of Durham meets those of Northumberland and Cumberland, and there terminated. But the charters and the controversy give one the impression that Alston originally reached across this boundary.

Robert de Veteriponte to look into, from which it will be clear that there is insufficient title, particularly since the charters of confirmation do not accord with the original charter of grant. Farewell.

The king's writ, returned as usual, follows in the roll. Then the report of the inquisitions, and very briefly of that at Appleby just before this letter of John de Vallibus and his associates was sent. To this assize Robert de Veteripont went* and admitted that the mine belonged to the king and that he had no claim in it, and he was attached by order, by the sheriff who was present, to secure his appearance to answer for his trespass in the mines. The question (except for the justices in eyre) had up to that point evidently been a mixed one of manor and mines. It now became a question of manor as well as mines. The usurpation of liberties in the mines had been brought into evidence, and only the judgment for that was awaited. The question of the right to the manor and manorial courts still was on trial; and here I think came in—in Yorkshire, whence John de Vallibus and his associates sent their letter—the trial reported on p. 197 of *de Quo Waranto*. The right of the king of Scotland to exercise his jurisdiction in the liberty of Tyndale and the right of Robert de Veteripont to have a manorial court there both, as we saw, were in question. But we see from what I have just detailed that Robert had in possession the original charter which Alan de Walkingham asked for, and the transcript of it which these justices sent up to R. de Hengham in King's Bench is given below. From Alan's pleading we might conclude that it had not been forthcoming, but the fact instead seems to be that after the inquisition and the perambulation of the north bound of Alston by the justices in eyre, as just related, that charter was simply not allowed to be tendered as evidence in the Court, on the ground that the lands specified in it were not those specified in the charters of confirmation; and

* Assize Rolls 132, and 143.

as no other could be produced it was as if the original charter was not forthcoming, and the title was nullified by the refusal to allow it.

It is now time to give the charters, which come next in the communication between the sets of justices. The earliest charter is this :—

CHARTER I. (Alston).

W. Rex Scottorum Episcopis Abbatibus Comitibus Baronibus justiciariis &c [salutem]. Sciant presentes et futuri me judicio Curie mee reddidisse et dedisse et concessisse et hac carta mea confirmasse Willo de Veteriponte Ardinchestorp et Kerkedenen Hornerhedenen Alrinton Kirkheale et Aldeneby per suas rectas divisas cum omnibus justis pertinentiis suis in bosco et in plano in pratis et pascuis et aquis, tenenda sibi et heredibus suis de me et heredibus meis in feodo et hereditate libere et quiete per servitium quatuor militum. Quare volo et firmiter precipio ut predictus Willus et heredes sui prenominatas terras et tenuras teneant et habent ita libere et quiete, plenarie et honorifice cum tol et theem et socca et sacca et infangethef* sicut pater ejus eas melius liberius quietius et honorificentius plenius tenuit.

W. king of the Scots to his bishops, abbots, earls, barons, justices, &c., greeting. Know all living and all to come that by the resolution of my court I have restored and given and conceded and by this my charter have confirmed to William de Veteriponte, Ardinchestorp and Kerkehedenen, Hornerhedenen, Alrington, Kirkhaugh, and Aldeneby according to their rightful boundaries, with all their belongings in woodland and cleared land in meadow and pasture and stream; for him and his heirs to hold of me and my heirs in fee and hereditary right freely and undisturbedly by the service of four knights. Wherefore I will and firmly order that the aforesaid William and his heirs shall hold and have the aforenamed lands and holdings freely and undisturbedly in full and honourable tenure with tol

* Sake and soke taken together were the right to have a court in which to hold trials, and to levy fines and to keep the fines levied. In this couple of alliteratives soke seems to be the "wite"-seeking—*i.e.*, fine-inflicting power (see Maitland, *Domesday and beyond*, 258, &c). Tol was the right to tolls; theam, apparently the right to own persons, serfs, *e.g.*; infangthef, the right to have the whole possessions mulcted of a thief who was the baron's tenant. Except in a barony where this right was allowed these proceeds, though exacted by the sheriff, were accounted for by him to the king, to whose exchequer they went.

His testibus David* fratre meo Nicho Cancell† Waltero fil Alani dapifero ‡ David Olif Ricardo Capellano Willo de Haye pincerna Waltero de Windelesovre Gilberto fil Ricardi Rogero de Valon' Roberto de Berkeley Waltero de Berkeley. § Apud Lanark.

and theam and soke and sake and infangthef, just as his father held them. As witness these, David my brother, Nicholas the chancellor, Walter son of Alan the Steward, David Olif, Richard the Chaplain, William de Haye the butler, William de Windsor, Gilbert son of Richard, Roger de Valoines, Robert de Berkeley, Walter de Berkeley. Dated at Lanark.

The date of this charter is between 1153, the accession of William, and the death of Walter f. Alan, 1177.

CHARTER II. (Alston).

W. Dei gratia rex Scottorum omnibus probis hominibus totius terre sue, clericis et laicis salutem. Sciant presentes et futuri me concessisse et hac presenti carta mea confirmasse Ivoni de Veteriponte terras illas quas Willelmus de Veteriponte pater ejus tenuit in Tyndale, scilicet Alrington et Aldenestoun et Kirkehale cum justis pertinentiis suis, tenendas sibi et heredibus suis de me et heredibus meis in feodo et hereditate per servitium unius militis ita libere et quiete sicut predictus Willelmus de Veteriponte pater ejus illas tennit. Testibus Comite Patricio|| Philippo de Valoniis¶ Cancell(ario) tunc Roberto de

W. by God's grace king of the Scots to all right minded men of all his land, clerical and lay, greeting. Know all who are living and all to come that I have granted, and by this my present charter have confirmed to Ivo de Veteripont those lands which William de Veteripont his father held in Tyndale; namely Alrington and Alston and Kirkhaugh with all their just belongings: for him and his heirs to hold of me and my heirs in fee and hereditary right by the service of one knight; as freely and undisturbedly as the aforesaid William de Veteripont, his father, held them. As witness these, Earl Patrick, Philip de

* Earl of Huntingdon, died 1219.

† Died in 1171, *Chron. de Mailros* (Melrose).

‡ Ancestor of the Stuarts, died 1177.

§ Chamberlain in 1165, and baron of Inverkeilor.

|| Earl Patric succeeded his father Waltheof in 1182 (*Chron. de Mailros*).

¶ A Philip de Valoines, who evidently belonged to the north of England, died 6 Richard I., 1194 (Dugdale).

London(iis) filio meo Willo de Bosco clerico meo* Engelramo de Balliolo Hugone de Normanvilla). Apud Srivel(in) 11° die Oct.

Valoines then chancellor, Robert de Lundin my son, William de Bosco my cleric, Engelram de Baliol, Hugh de Normanvill. Dated at Stirling 11 October.

King John's charter of confirmation is this :—

CHARTER III. (ALSTON).

Johannes Dei gratia rex Anglie dominus Hibernie dux Normannie et Aquitanie et Comes Andegavie, Archiepiscopis Episcopis Abbatibus Comitibus baronibus justiciariis vicecomitibus prepositis et omnibus ballivis et fidelibus suis: Sciatis nos concessisse et hac carta nostra confirmasse Ivoni de Veteriponte concessionem quam dominus W. rex Scottorum ei fecit et carta sua confirmavit de terris quas Willelmus de Veteriponte pater ipsius Ivonis tenuit in Tyndale, scilicet Alrington et Aldeneston et Kirkehale cum pertinentiis suis, tenendas eidem et heredibus (suis) de rege Scottorum et heredibus suis per servicium unius militis sicut carta ejusdem regis quam ei fecit rationabiliter testatur. His testibus: P. Wintonie Episcopo Thoma de Samford Stephano de Turneham, Roberto de Berkel(ey) Johanne filio Hugonis Ad(am) de Stawell. Datum per manus Ricardi de Marisco, apud Bristoll: 17° die Maij, anno regni nostri 11° (1209 or 1210).†

John, by the grace of God king of England, lord of Ireland, duke of Normandy and Aquitaine and earl of Anjou, to his archbishops, bishops, abbots, earls, barons, justices, sheriffs and reeves, and all bailiffs and faithful subjects. Know ye that we have granted and by this our charter have confirmed to Ivo de Veteripont the grant which William, king of Scots, made to him and confirmed by his charter of the lands which William de Veteripont, father of the said Ivo, held in Tyndale, namely Alrington and Alston and Kirkhaugh with their belongings: to be held by the said Ivo and his heirs of the king of the Scots and his heirs by the service of one knight, as the charter of the same king allowably attests. As witness, Pierre (des Roches) bishop of Winchester, Thomas de Samford Stephen de Turneham, Robert de Berkeley, John son of Hugh, Adam de Stawell, Given by the hands of Richard de Marisco at Bristol, 17th May, in the 11th year of our reign.

* Richard the king's cleric, who witnessed the former charter, became Bishop of Moray, March 1st, 1187 (*Chron. de Mailros*).

† If the dates given in the notes to the second charter are any guide to its date, this confirmation was some years later.

Comparing the names in the first charter—Ardinchestorp, Kerkehedenen, Hornerhedenen, Alrington, Kirkheale and Aldeneby, with those in the other two—Alrington, Kirkehal and Aldeneston, we gain a hint as to the reason why the first charter was rejected in the eyre courts. Two names only remained which were clearly the same. Aldeneby in the short interval between the charters seems to have been replaced by Aldeneston and the other names to have gone out of use, so that in the time of Edward I. all, Aldeneby included, had been obliterated from memory. This is incidental witness of changes in the borderland. Of the two names which had not changed Kirkheal remains as Kirkhaugh to this day, and Alrington is probably Elrington near Haydon Bridge, though this seems rather far afield.

The case does not look hopeful for Robert de Veteripont after all these eyre courts, and we expect forfeiture. But the courts of Edward I. were intended for justice, and evidently there was reconsideration of the whole matter before the king, for in the Trinity term of that year, June 21 (Close Roll, 7 Edward I.), an order was sent to the sheriff of Cumberland to restore to Robert de Veteripont all his lands of Aldeneston which that sheriff had taken into the king's hands by order of the justices last in eyre in Cumberland, and to restore to the king of Scotland the possession of his liberty of Aldeston taken in the same way into the hands of the English king. The evidence of the charters must therefore have been accepted, and the grant in the earliest had included infangenethef and its accompanying privileges, which were, in fact, manorial or rather seigniorial rights. There is no record in the Coram Rege Rolls of a trial in King's Bench as the result of the appeal before that date of June 21st, and this leaves it possible that the king by himself decided the question and that his decision caused the order of restitution.

The question of the manor came up again later; but

this is a convenient moment for going into various particulars about these Veteriponts and their other possessions.

William de Veteripont, to whom the first of the charters were given, was son of Robert, who married Maud de Cuveville. From the charter itself we learn that Robert had held the lands which were therein granted to William, and had held them with the accompaniments which were understood in those days to imply seigniorial and manorial rights. William, to whom these were continued by the charter, was the husband of Maud de Morville, owner of the moiety of Meaburn. Their sons were Robert, to whom King John (c. 1203) granted the shrievalty of Westmorland, and Ivo, to whom came his mother's land of Meaburn, as well as Alston and lands in Ireby (*Feet of Fines*, Cumberland, 15 Henry III.); and together with his second wife Sibyl he held land in Blencarn, Ainstable and Waverton, and tenements in Carlisle (*Feet of Fines*, Cumberland, 11 Henry III.). In 1230 he had a case of novel disseisin (*i.e.*, unwarrantable taking possession) about land in Crofton. In 1232 he had a case of novel disseisin against Robert de Hellebec about land in Askham (Westmorland). King John granted him the custody of Mount Sorrel Castle in Leicestershire, then an important post, in 1204, and in several years he received grants of money for its repairs. He took King John's side against the Pope in 1211*; but was one of those who signed the legate's letter to the king urging a council at Bordeaux (Close Rolls, John). In 1217 the sheriff of Northamptonshire was ordered to hand over to Ivo's brother Robert his land at Mount Sorrel, he being among the king's enemies (Close Rolls, 3 Henry III.).

In that year (Fine Roll, 3 Henry III.) Robert was sheriff of Cumberland as well as Westmorland, and he sent up a complaint to the king that Hugh de Baliol was

* Rog. of Wendover (Chron.).

hindering the miners of Alston from free access to Carlisle by roads, and Hugh was ordered to desist. In 1219 (Rot. Cur. Reg., 70 a) the abbess of St. Mary de Pratis (Northamptonshire) claimed a hide of land each from Ivo and from William de Veteripont in Hardingstone. Ivo called on William as warrantor for his hide; William called on Alexander, king of Scots, as warrantor for both. This fee seems to have belonged to the earldom of Huntingdon, of which Scottish kings were earls. Who this William de Veteripont was is uncertain. It is probable that he was the William who in 1 Henry III. was in prison at Nottingham, and whose son in 1213 was hostage of the king of Scots, and who afterwards together with Ivo (not Ivo our present subject, for he was dead) in or about 1244 represented that he was not of counsel to do injury to the dominions of the king of England.* These Veteriponts may very well have been cousins to Ivo, and of the family of a former Ivo, son of Robert and Maud de Cuveville.

Before 6 Henry III. (1221) Ivo seems to have been no longer reckoned as disloyal, for he was one of the knights who were ordered to "view" the forest of Cumberland under Brian de Insula, and settle bounds and adjust disafforestation where expedient (Close Rolls, 6 Henry III.), and in 9 Henry III. (1224-5) was appointed as a collector of the tax called fifteenths from those owners in Cumberland whose tenure was not military tenure. It was in this last year that complaint went up to the king that he was illtreating and imprisoning the miners of Alston (Close Rolls, 9 Henry III.). The sheriff was ordered, if Ivo was willing to put matters right with the king and to make amends to the miners, to place his land and the mine and woodland in security so that no harm might happen. In 1230 Ivo was a justice in an assize at Appleby (Patent Roll, 14 Henry III.).

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* Earl Patric and Walter Comyn were amongst the signatories to these documents.

Ivo's first wife was Isabel de Lancaster, as charter v. (Meaburn) to St. Leonard's, York, shows; who Sibyl, his second wife, was I have not so far discovered. He had had money lent to him by King John (*Pipe Rolls*, Cumberland, Parker, *various years*), of which the last repayment was made in 17 Henry III. (1233-4); the amount seems to have been 11¼ marcs (probably gold marcs since the repayment was certainly slow). He made various grants to St. Leonard's Hospital of York from his lands in Meaburn, the charters of which come at the end of this paper. Besides all this he confirmed his mother's gift of Reagill to Shap Abbey in a lost deed, the only record of the existence of which seems to be an eighteenth century translation of a portion thereof which is amongst the Lowther muniments. This confirmation, together with his mother's gift, Robert de Veteripont (as lord of Westmorland) confirmed in a charter dated Cliburn, April 24th, 1212. Ivo's charter, according to the translation, stated that he granted* "to Shapp Abbey the village of Revegill and all the lands and interests he held there of his lord and well beloved Robert de Veteripont, and made a division" (probably set out boundaries—*divisas*) "for the sake of the abbey" between his vill of Meaburn and the vill of Reagill, "viz., Leveneth which parts the villages to Holebecke, under Littlebank up to Revegill beck, and thence to Museholmes to a trench under Thirlefrith, then south between Thirlefrith bank and the land of St. Mary of Karliol held under the lord of Mauldes Meburne to the way between Hep and Appleby; then to Burnebank and to Whygill sike." † Some six years before his death Ivo had leased all his lands in Westmorland to Gervase de Louther, archdeacon of Carlisle, who in turn subleased them to John le Franceys (son of Hugh), one of the barons of the Exchequer and a cleric, for 10 years. ‡ He

* I should say confirmed.

† A conjectural date of 1238-40 is given to this in the translation, but clearly in error. Robert died in 1227.

‡ *Pipe Rolls of Cumberland* (Parker), p. 80 (23 Henry III.).

also granted, but in what year there is nothing to tell, to one of his daughters, Joan, what a later record (Assize Roll, 1321) of A.D. 1300-1 shows to have been a moiety of Meaburn Maud. This charter I give, so far as I could decipher it, from Curia Regis Roll, 130 :—

Sciant presentes et futuri quod ego Ivo de Veteriponte dedi et concessi et hac presenti carta mea confirmavi Johanne filie mee pro homagio et servitio suo unum toftum cum crofto quod fuit Alani quondam prepositi de Medbrunne cum toto gardino meo ex opposito aule mee ultra aquam in eadem villa et totam culturam meam de Smaleburghamis (?) et totam culturam meam de Grofflat et totam culturam meam de Setebergh et medietatem totius culture mee de Trellessic versus Austrum et medietatem totius culture mee de Gretland versus Austrum et medietatem totius crofti mei juxta aulam meam versus aquilonem in territorio de Medbrunne cum omnibus pertinentiis suis absque ullo retenemento et totum pratum meum quod nominatur Redmyre, de Fulsike quamdiu durat versus Austrum et 13 acras prati mei inter Wyttelsike et Spytelbanc et totum pratum meum de Trellesike in eodem territorio de Medbrunne cum omnibus pertinentiis suis absque ullo retenemento et medietatem totius pasture spectantis ad totam villam de Medbrunne cum exitibus provenientibus ex eadem pastura absque ullo retenemento. Dedi

Know all living and all to come that I, Ivo de Veteriponte, have given and granted and by this my present charter have confirmed to Joan my daughter for her homage and service one toft with a croft which was Alan's formerly reeve of Meaburne with all my garden across the stream and opposite my hall in the same vill, and all my ploughland of Smaleburghamis (?) and all my ploughland of Grofflat and all my ploughland of Setebergh and the half towards the south of all my ploughland of Trellesic, and the half towards the south of all my ploughland of Gretland and the half towards the north of my whole croft by my hall in the part belonging to Meaburn, with all that thereto belongs without any reserve, and the whole of my meadow land named Redmyre from Fulsike as far as it reaches southwards, and 13 acres of my meadow land between Wyttelsike and Spytelbanc and the whole of my meadow land of Trellesike in the same part belonging to Meaburn with all that thereto belongs without any reserve, and half of the whole of my pasture land belonging to the whole village of Meaburn with the rents that come therefrom, without any reserve. I have

et concessi eidem Johanne medietatem totius molendini mei aquatici de Medbrunne cum medietate totius secte spectantis ad medietatem dicti molendini et medietatem totius bosci mei de Barnesthagh et medietatem totius pasture mee inter Wytelsik et Sipittelbanc et medietatem totius vivarii mei de Wytelsike. Dedi et concessi eidem Johanne 2 bovatas terre cum omnibus pertinentiis suis quas Robertus Wolward quondam de me tenuit et 2 bovatas terre quas Johannes Homel quondam de me tenuit et 1 bovatam terre cum omnibus pertinentiis suis quam Michael Tunne quondam de me tenuit et 1 bovatam terre cum omnibus pertinentiis suis quam Elyas filius Willi quondam de me tenuit et 2 bovatas terre cum omnibus pertinentiis suis quas Gilbertus Carpentar(ius) quondam de me tenuit et 2 bovatas terre cum pertinentiis quas Adam de Pynkeny quondam de me tenuit et 1 bovatam terre cum omnibus pertinentiis quam Thomas de Crokham quondam de me tenuit et 1 bovatam terre cum pertinentiis quam Gregorius de Neuby quondam de me tenuit, et 2 bovatas terre cum omnibus pertinentiis suas quas Gilbertus Makeles quondam de me tenuit, et 1 bovatam terre cum omnibus pertinentiis quam Robertus Hydman quondam de me tenuit et 1 bovatam terre cum (omni-

also given and granted to the same Joan the half of my whole water mill of Meaburn with the half of the whole suit* belonging to that half, and the half of my whole woodland of Barnesthagh† and the half of all my pasture land between Wytelsik and Sipittelbanc and the half of my whole preserve of Wytelsike. I have also given and granted to the same Joan 2 bovates of land with all that belongs thereto which Robert Wolward formerly held of me, and 2 bovates of land which John Homel formerly held of me and 1 bovate of land with all that belongs thereto which Michael Tunne formerly held of me and 1 bovate of land with all that belongs thereto which Elyas son of William formerly held of me and 2 bovates of land with all that thereto belongs which Gilbert the Carpenter formerly held of me and 2 bovates of land with their belongings which Adam de Pynkeny formerly held of me, and 1 bovate of land with all that belongs thereto which Thomas de Crokham formerly held of me and 1 bovate of land with its belongings which Gregory de Newby formerly held of me, and 2 bovates of land with all its belongings which Gilbert Makeles formerly held of me and 1 bovate of land with all that thereto belongs which Robert Hydman formerly held of me, and 1 bo-

* *i.e.*, services, tolls, and dues.

† Now Barnesceugh.

bus) pertinentiis quam Willus filius Petri quondam de me tenuit et 1 bovatam terre cum pertinentiis quam Willus filius Inethe quondam de me tenuit et 2 bovatas terre cum omnibus pertinentiis quas Walterus filius Ad(am ?) quondam de me tenuit et 1 bovatam terre cum pertinentiis quam Eda Bone quondam de me tenuit et 2 bovatas terre cum omnibus pertinentiis quas Robertus de Keldelith quondam de me tenuit et 2 bovatas terre cum omnibus pertinentiis suis quas Galfridus prepositus quondam de me tenuit et 1 bovatam terre cum omnibus pertinentiis suis quas Ada Tod quondam de me tenuit, et 2 bovatas terre cum omnibus pertinentiis suis quas Gilbertus Cocus quondam de me tenuit, et 1 bovatam terre cum omnibus pertinentiis suis quam Hugo Man [ ] quondam de me tenuit, et 4 acras terre cum pertinentiis suis omnibus quas Adam le Fuglere quondam de me tenuit et 5 acras terre cum omnibus pertinentiis quas Adam Cocus quondam de me tenuit. Dedi et Johanne predicte et concessi homagium et servitium Walteri de Medbrunne de toto tenemento libero qnod de me tenuit in Medbrunne et Ravenesbiggyng et homagium et servitium Thome de Pinkeney de toto libero tenemento quod de me tenuit in Medbrunne et homagium et servitium Willi (filii) Gilberti de toto libero tenemento quod de me tenuit in eadem villa et homagium et servitium Ger-

vate of land with (all) that thereto belongs which William son of Peter formerly held of me and 1 bovate of land with its belongings which William son of Inethe (? Janet) formerly held of me, and 2 bovates of land with all that thereto belongs which Walter son of Adam formerly held of me, and 1 bovate of land with its belongings which Eda Bone formerly held of me and 2 bovates of land with all that thereto belongs which Robert de Keldelith formerly held of me and 2 bovates of land with all that thereto belongs which Geoffrey the reeve formerly held of me and 1 bovate of land with all that thereto belongs which Ada Tod formerly held of me, and 2 bovates of land with all that thereto belongs which Gilbert the Cook formerly held of me, and 1 bovate of land with all that thereto belongs which Hugh Man(ne ?) formerly held of me and 4 acres of land with all that thereto belongs which Adam the Fowler formerly held of me, and 5 acres of land with all that thereto belongs which Adam the Cook formerly held of me. I have also given to (the same) Joan and granted the homage and service of Walter de Meaburn from the whole free tenement which he held of me in Meaburn and Ravenesbiggyng, and the homage and service of Thomas de Pinkeney from the whole free tenement which he held of me in Meaburn, and the homage and service of William

ardi le Tayllur de 2 bovatis terre quas de me tenuit in eadem villa et homagium et servitium Willi Crey(?) de toto libero tenemento quod de me tenuit in eadem villa et homagium et servitium Willi de Pinkeney de toto libero tenemento quod de me tenuit in eadem villa et homagium et servitium Willi filii Sun' de toto libero tenemento quod de me tenuit in Wykersbec. Et medietatem totius servitii Alani de Richemund cum acciderit de suo libero tenemento quod ei dedi in maritagio cum Jama (? Jaina or Jania) filia mea in Medbrunne et Wykeslak. Dedi et concessi eidem Johanne Gilbertum Carpentar(ium) cum omnibus catallis et tota sequela sua et Nigrat [ ] filium Gamell(i) cum omnibus catallis et tota sequela sua et Robertum Godelimoine cum omnibus catallis suis et tota sequela sua et Johannem Homel cum omnibus catallis et tota sequela sua. [Dedimus hec omn]ia ego vero et heredes mei eidem Johanne, tenenda et habenda de me et heredibus meis eidem Johanne et heredibus suis vel assignatis vel cui [dederit] quecunque et quandocunque . . . . omnia prescripta cum omnibus pertinentiis suis [bene] et heredarie et libere et quiete integre plenarie pacifice et honorifice, in viis semitis [stagnis] vivariis et aquis, boscis et planis pratis pascuis pastis moris tubariis mariscis lapidariis nec non omnibus li-[bertatibus] tam infra villam de

son of Gilbert from the whole free tenement which he held of me in the same vill, and the homage and service of Gerard the Tailor from 2 bovates of land which he held of me in the same vill, and the homage and service of William Crey(?) from the whole free tenement which he held of me in the same vill, and the homage and service of William de Pinkeney from the whole free tenement which he held of me in the same vill, and the homage and service of William son of Sunn . . from the whole free tenement which he held of me in Wykersbec, and half of the whole service of Alan de Richemund when it is due from the free tenement which I gave to him in marriage with Jama (? Jaina or Jania) my daughter, in Meaburn and Wykeslak. I have given and granted to the same Joan Gilbert the Carpenter with all his chattels and his whole household and Nigrat [ ] son of Gamel with all his chattels and his whole household, and Robert Godelimoine with all his chattels and his whole household. All these I and my heirs have given to the same Joan, to be held and to be possessed of me and my heirs, by Joan and her heirs or assigns or any one to whom she shall give any of it at any time:—all these with all that belongs to all, to hold in good and hereditary and free and undisturbed possession in entirety in full and peaceful and honourable tenure, with the

Medbrunne quam extra absque ullo retenemento: reddendo inde annuatim mihi et heredibus meis unum spervarium s[orum] vel unum denarium ad festum Sti Laurentii et reddendo inde annuatim servitia pertinentia ad terram in villa de Medbrunne Et ego vero Ivo et heredes mei war[rantizabimus Johanne] predicte et heredibus suis [omnia] predict[a] terr[as] et cum omnibus [pertinentiis] contra omnes homines in perpetuum. [Et ut] mea . . . concessio . . . confir[maretur] hanc cartam meam apposito . . . sigilli mei sigill › feci robo[rari]. His testibus Johanne de Vet[eriponte] [ ] filio Willi Thoma filio [ ] Willo de Dak[er] [ ] de Kabergh tunc vice Comite Westmer[lande] [ ] de Hellebek Henrico le Taillour Roberto de [ ] [ ] de Musegrave Johanne [ ] [ ] Maunsel Alano Pincerna Roberto [ ] [ ] [ ] de Budecastro . . . . . .*

roads, paths, ponds, preserves and streams, woodlands and cleared lands, meadows, pastures, grazing lands, moors, turbaries, marshes, quarries, and all liberties: those within the vill and those outside, and without any reserve; she giving to me and to my heirs yearly 1 "sore" sparrow-hawk or one penny at the festival of St. Laurence, and rendering yearly the services belonging to the land in the vill of Meaburn

And I, Ivo, and my heirs will warrant to the aforesaid Joan and to her heirs all the aforesaid lands and tenements and with all that belongs thereto against all men for all time. And that my grant . . . may be confirmed, I have made it secure by the sealing of my seal As witness these, John de Veteripont, [ ] son of William, Thomas son of [ ], William de Dacre, [ ] de Cabergh then sheriff of Westmorland, [ ] de Hellebek, Henry le Taillour, Robert de [ ], [ ] de Musgrave, John [ ], [ ] Maunsel, Alan le Botiler, Robert [ ], [ ] de Bewcastle.

After Ivo's death Robert, his son and heir, by a charter still existing at Lowther, quoted almost word for word (the first person being altered into the third) in the Pipe Roll for Cumberland of 23 Henry III., 1239-40,† granted

* This charter towards the end is much blurred and faded. The parts between brackets are provisional restorations, which would be easier to conjecture except that some of the expressions are unusual. The charter is wordy.

† Parker's *Pipe Rolls of Cumberland and Westmorland*, pp. 80 and 85.

to John le Fraunceys a lease of all his lands and tenements in Westmorland for 10 years. In the Pipe Roll only one name of a witness is given, William de Haverhul, the king's treasurer.* The Pipe Roll copy states that the lease was to begin in 1244 A.D.; this must be understood as the intention, for the entry in that roll cannot be later than 1240; the lease was thus to have succeeded that granted by Gervase de Lowther in Ivo's lifetime, of which there were still four years to run. It is curious that the date of commencement of the lease is given in the charter itself as 1240 A.D. The entry of agreement is, however, cancelled in the Pipe Roll, and a different arrangement entered in the next year whereby Robert enfeoffed John le Fraunceys in the manor of Meaburn Mauld. This as regards half of the manor was apparently placing a submesne lord over the head of Joan his sister. Questions between the Veteriponts and the le Fraunceys feoffees came up afterwards, as we shall see later. In one of these Robert chose Nicholas de Veteripont as one of his sureties. Before 6 Edward I. (1277-8) Robert and his sister Joan were both dead and apparently Robert left no son, for in a case about land in Meaburn brought before the assize, and put off because Gilbert le Fraunceys was dead (Assize Roll, 1239), Laurence de Veteripont was the claimant; the claim was renewed in 1288 by Robert de Veteripont, son and heir of Laurence, against Richard, son of Gilbert le Fraunceys, when a charter which he had just granted was produced against him showing that he had granted all to Richard le Fraunceys.† The action could only have been a "friendly trial" to make Richard's possession more secure.

After this, unless Alan de Richmond and Jania had children who remained as owners of land there, the con-

* The others given in the original charter are P. Grimbald and Ralf de Ely, then barons of the king's Exchequer, Magister Thomas Aschewi (?), Robert Lupus, William de Daker and Robert his brother, Richard son of Yngram, "and others."

† Assize Roll 132.

Photo. by Dr. Haswell.

SEAL OF ROBERT DE VETERIPONTE,
SON OF IVO.

TO FACE P. 282.

nexion of the Veteriponts with Meaburn Maud ends. I will now return to Alston. That Nicholas succeeded Ivo in Alston as one of Ivo's heirs, and that too while still Laurence, son of Ivo, was living, is shown by the representation of the jury in 1279 that he began his "usurpations" over the miners' rights 40 years before, which 40 years take us back to 1239, the year of Ivo's death. But there is incidental evidence that Ivo had placed him in as freeholder even earlier, for in 1232 (Patent Roll, 16 Henry III., m. 2 d.) the question of right of patronage of the church of Kirkhalch (Kirkhaugh) was before the assize at Werk, and in this record Ivo's name is written and crossed through and for it Nicholas is substituted. Partition of estates seems characteristic of the Veteripont family in those days. The inheritance of Alston—William's—and that of Meaburne and Reagill—Maud's—came not to the elder son Robert, but to Ivo the younger son; and we find Ivo dividing among his family what he held. Alston after the time of Nicholas seems to have gone down in his his family by primogeniture for some time through male heirs. Nicholas was living in 1266 when he paid half a marc to have an assize before Henry de Bratton. In 6 Edward I., 1277-8, the prior of Hexham brought complaint against Robert de Veteripont and others for damage done, in trespassing, to his pasture at Alston. In this, so far as I can judge, the trespass had been committed by Robert's tenants, and his name came in only as being their overlord. The case was undefended, and was to be transferred to Newcastle.* In the next year, 1277-8, Alan de Veteripont had a writ granted against the prior for trespass but did not prosecute, and Laurence de Veteripont had an action against William de Swynburn which was to be heard at Westminster,† and Robert himself was reported for not taking up knighthood though he possessed lands of the value of a knight's fee.

* Assize Roll, 130.
† Assize Roll, 649.

Robert died before 1282. And again the manor of Alston was claimed by the justices of the king from his son Nicholas, who was summoned for Thursday, December 6th, 1291, before Hugh de Cressingham and his fellow justices in eyre to surrender it to the king.* He did not appear. The sheriff was ordered to take the manor into the king's hands—*i.e.*, to sequester, in all particulars and to summon him for October 17th, Wednesday after St. Luke, 1292. He made default again. The sheriff certified that all that was required of him had been done, and therefore the decision was that the king should again take possession of the manor thus forfeited by default. But execution of the decision was suspended till the king's pleasure should be known.

For Adam de Berton came to the court, and produced a charter which the king had granted ten years previously couched in these terms:—

Edward by God's grace king, &c. Know ye that although we recovered in our Court by the decision of that Court against Robert de Veteriponte the manor of Alston and its belongings as of our county of Cumberland, still at the request of our beloved nephew Alexander son of the high Prince Alexander illustrious king of Scots, we have granted the manor to Nicholas son and heir of the aforesaid Robert to be had and held, by him and his heirs, of the aforesaid king of Scots and his heirs for all time by the services therefrom due, saving to us and our heirs the mine of Alston the miners and the liberty of the mine and miners which we have retained fully for us and our heirs; and we grant for us and our heirs that the aforesaid manor henceforth shall belong to the Liberty of the said lord king of Scots of Tyndale reserving this that the miners of that mine shall account to us and our heirs for the mineral, as they have hitherto given account In witness whereof we have caused these letters patent to be made Witness ourself at Chester 4 July in the 10th year of our reign (1282).

After their report had reached the king, an order was sent to them thus couched:—

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* *De Quo Waranto*, p. 129; Chancery Miscellanea, Bundle 53, file 1 (20).

Edward by God's grace king, &c., to his, &c., justices in eyre in the county of Cumberland, greeting. Because we are given to understand that in your eyre you are dragging into Court before you Nicholas de Veteriponte in a way in which he ought not to be caused to appear, and in which neither he nor his ancestors have been accustomed to be made to appear in the past, we, not wishing that he should be harassed in an undue manner in this matter, charge you that in your present eyre you do not cause him to be brought into Court otherwise than he ought and than he and his ancestors have been accustomed. Witness ourself at Roxburgh 11 Decr in the 21st year of our reign (1292).

But the justices seem not to have felt satisfied. They looked up the rolls of John de Vallibus of 1279 and the inquisitions made and the perambulation of bounds of which I have already given detail. They had another jury, and from them a presentment about the liberty of Aldeynston, the record of which is not given in the *de quo Waranto* volume nor in the rolls from which that is derived, and I have not found it except in a transcript* sent up for a later investigation, which was called for in 1356.

The jury give, almost word for word, the former jury's statement about the king's right to every "ninth disk" of ore and every fifteenth penny from the proceeds of sale; they tell of the man whom the king is to supply to separate the ores, "le drivere," as before. They were asked this time what the revenue from the mine had been in the 14 years since the last inquisition; £4 and 2d. they answered, which amount they believed Thomas de Normanvill, the king's escheator, had received and had accounted for at the Exchequer—certainty on this point was ordered to be gained by application to the Exchequer. The jury then presented that there was on the moor an iron mine belonging to the king, and that the sale of mineral therefrom brought in 15s. yearly. And that Ralf de Levington when lessee of Alston in the first instance took that mine

* Chancery Miscellanea, Bundle 53, file 2 (66).

over the head of King Henry, father of the younger king (*regis junioris*), and held it for 20 years, and that during that time the mine produced £15, from the yearly sale producing 15s.; (and not more) because there was not woodland there to supply wood for the smelting.

The justices then ordered the sheriff to distrain Richard de Kirkbride, Walter de Corry, Walter de Twynham, Gilbert de Suthayk, Patrick Trumpe, Matilda de Carrik, and John de Seton, heir of the aforesaid Ralf de Levyngton, and Nicholas, son of Robert de Veteripont, and to cause them to appear at Newcastle-on-Tyne in the next Hilary term to account for the 14 years' revenue. They admitted that they held the lands which had been held by Ralf de Levington, and offered to pay their proper proportions. These were apportioned between them and paid.

The result of the investigation was that the justices decided to put the whole matter afresh before the king (*ideo inde loquendum cum domino rege—de quo Waranto*, p. 129). The reply to that was this letter :—

Edward by God's grace king, &c., to his, &c., justices in eyre in Cumberland greeting. Although we in our Court before you in Cumberland by the decision of the Court recovered against Nicholas de Veteripont the manor of Alston, which manor we before that time by our letters patent had granted to him and his heirs to hold of Alexander of good memory formerly king of Scotland and his heirs for all time by the accustomed services: we will, notwithstanding, that this judgment made by your Court should be totally annulled, and that Nicholas should have again his possession of the manor. We require you accordingly to restore to Nicholas the said manor according to the tenor of our letters patent. Witness ourself at Newcastle on Tyne 6 Jany in the 21st year of our reign.

The Court accordingly proceeded to give Nicholas seisin of the manor. The king's letter was almost accompanied by another requiring the justices to observe in every particular the letter in which he had granted back the manor to Nicholas to hold, as his ancestors had held it before him, of the king of Scots within his liberty of Tyndale.

But Alexander's death wrought great change, and the quarrel with the Scots. John Baliol could not hold his own. In the beginning of 1293 the liberty of Tyndale was in the hands of the king of England, and was finally separated from the demesne of the Scottish kings.

A few stray items next occur. William, son of Nicholas de Veteripont, in 1296 was outlawed for felony, and his messuage and four acres in Alston taken into the king's hands (sequestered).* It was returned as held of the prior of St. John of Jerusalem. It was retained "in the king's hands" for a year and a day. William was pardoned at the instance of Robert de Clifford (Patent Roll, 1296).† In 1301 (Assize Roll, 1321) an assize was held to settle whether Nicholas de Veteripont and Eda, widow of Laurence de Veteripont, had dispossessed William de Veteripont, son of Alan, of his free tenement in Gerardgil and Alston—*i.e.*, of one messuage, 12 acres of land and 8 of meadow. Nicholas was attached for not appearing to answer to the charge. Eda got out of the way, and could not be found. The land was sequestered, and the jury decided that Alan had died in possession and William his son had rightfully entered into possession, and Nicholas had deprived him and was at the mercy of the Court. William was put again into possession. Eda, the jury decided, was not in fault, and William (at "the mercy of the Court") would have been fined for bringing the charge against her except that he was pardoned because he was under age. It is quite possible, if we knew more about the case, that it was one of those which were often coming up, exercising custody of the heir when the

* Inquisitio post mortem, 24 Edward I., No. 81. Held at Carlisle. The jury were William de Wynton (?), Simon de Penruddok, Gilbert Hoboye (?), John de Mora of Alston, William de Sutton, Geoffrey Fraunceys, Adam Armstrang, Michael de Harlaxton, Walter de Mounby (?), Thomas de Docwra, Ralf de [ ], and John son of Ranulf.

† On October 3rd, 1298 (*Patent Rolls*, 26 Edward I.), John de Byroun, sheriff of York, was pardoned for allowing the escape from the gaol in York Castle of Nicholas, William, Simon, Robert, and Robert, all de Veteriponts, and William and James de Ros. Probably these were taking the side of the Scottish king.

tenure was not cornage but socage, and therefore illegally exercising it. Nicholas was paid in November, 1311,* for losses of beasts incurred in the raid under Robert de Clifford—presumably against the Scots—towards Faringby. His Inquisitio post mortem was taken at Penrith on the Wednesday after St. Luke, 8 Edward II.† (October 23rd, 1314). This tells us that he had a capital messuage (manor house) in Aldreston (Alston) worth 40d. yearly and 14 acres of ploughland in demesne each worth 6d. yearly, 100 acres of meadow, each worth 3d. yearly. He had 33 tenants at Gerardgill occupying 23 shielings *(scalingas)* and paying £5 18s. yearly, 13 tenants at Amoteschalth (Ameshaugh) paying 68s. 4d. In Alston he had 16 tenants holding 16 messuages and paying 37s. 6d., and at Nent and Corbriggate (Corbygates) 22 tenants holding 22 shielings and paying 111s. There was a watermill worth £4 yearly and a fulling mill worth 10s. There were 3000 acres of pasture on the moor which brought in 10 marks yearly for the depasturing. He received also 3s. of freeholders' rents; and the pleas of the Court at Alston were worth 20s. yearly. All these he held under the manor of Werk (Wark in Tyndale) which was in the king's hands, by the service of suit to the Court of Werk every three weeks. Robert his son, they said, was his heir and was 14 years old, and Nicholas held no other lands in Cumberland.‡ Robert, if of that age at that time, would naturally come into possession in 1321. For some undiscovered reason, however, his possession was only sanctioned in 1334 (Patent Roll, 7 Edward III., pt. 2), when his fee for having possession sanctioned was 20s. The king's letters patent inform us that he had inspected the letters patent of Edward I. of 1282, already

* Exchequer Q.R. Miscellanea, vol. 7, Army 35 (18).

† Inq. post mortem, Chancery, Edward II., 35 (16).

‡ The jury in this inquisition were John de Hoton Roff, John de Laisingby, John Hunter, Thomas Holley, John de Peneredd (Penrith), John de Blaconmore, William de Sutton, Robert de Bales, Robert de Nent, Reginald de Bales, Thomas de Bales and John del Houses.

mentioned, granting to Nicholas the manor, and consenting to his holding it as his ancestors had held it up to that time. This letter is dated Dunstable, January 22nd. Edward III., at some date which I have not yet discovered, granted the liberty of Tyndale to his wife Queen Philippa.* In Chancery Miscellanea, Bundle 53, file 2 (69), we have his letter to the barons of the Exchequer saying that the miners of Alston had complained to him bitterly that although their land was parcel of Cumberland, and they and their ancestors who from time to time mined there had been accustomed from of old to pay 10 marcs yearly at the Exchequer of Carlisle, they were now compelled by Queen Philippa's bailiffs of Tyndale, part of Northumberland, to attend the Courts there and to pay various sums of money for Philippa's use, in addition to their rightful dues, and were forced to bear other burdens which were not rightfully imposed, and that too by heavy penalties, and that they were oppressed in many ways to the damage of the king's mines and the impoverishment of the miners, and they prayed for release from the oppression.† The king wished to be informed whether Alston was part of Cumberland or part of the liberty of Tyndale and whether the rent of 10 marcs yearly was the rent, and he ordered the barons of the Exchequer to examine the rolls of the justices in eyre and the Exchequer rolls and memoranda which bore on the matter and were in their custody, and to return to him what they found recorded without delay under their seals (May 16th, 1356). The answer sent back with the returned writ was in separate schedules *(cedule)* sewed to it as usual, and with their endorsements explaining what they were. The Exchequer had looked up the Pipe Rolls, and found that

* Edward II. had granted it to Piers Gaveston and Margaret his wife, the king's niece, in 1311; and after that, in 1322, to Andrew de Harcla, earl of Carlisle. Between the forfeiture of Andrew and the grant to Queen Philippa I do not know who held it.

† Wherever the term miners comes in these records, it of course means the masters and not the men.

in 12 Henry III. (1227-8) the sheriff received 10 marks from the "firm" of the mine, and so from year to year they say the entry appears in that reign and in the reign of Edward, grandfather of the king, and of Edward, the king's father, till the present king's twenty-eighth year. In the eleventh year of the king's grandfather, they say, the entry is "from the king's mine in Alston as is contained in Rotulo Originali of the tenth year," and so from year to year the item occurs up to the same 28th year of this present king. In the Rotulo Originali of 10 Edward I. they found that the king after recovering the manor from Robert de Veteripont gave it back at the instance of Alexander, son of the Scottish king, to Nicholas, son of Robert, to be held by him of the Scottish king—all as before related—the mine being reserved to the English kings. They next add the copy of the proceedings before Hugh de Cressingham and the other justices, of which detail has been already given. Presumably the encroachments of the bailiffs were stopped, but I have found as yet no further record of this case.

The wife of Robert de Veteripont of this date, Margaret, seems to have inherited lands in Ukmanby or Hucmanby and Midelscough (Middlesceugh), but as her Inquisitio post mortem is missing, though catalogued, we cannot tell what lands she held, nor do we know her family name. In 1355 Robert was sheriff (Patent Roll, 29 Edward III.). In 1357 (Patent Roll, 31 Edward III.) he and one of his sons, William, were perpetrators together with other men of Alston Moor and with John Parnyng, rector of Skelton, of one of those riotous cruelties which make some of the most unpleasant reading in mediæval history. They broke into Nicholas Skelton's house at Skelton, and assaulted him and cut off his left foot, causing the death of his wife Ellen, through grief, and of her unborn babe. What the cause of the riot was and what punishment was inflicted, if any, I have not yet discovered. The wife of Nicholas de Veteripont, Robert's eldest son, was Elena Daubenay,

daughter of Robert Daubenay (Inquisitio post mortem, 41 Edward III., 1st Nos., 60).* She died after her husband and had been married again, to John de Moriceby, by whom she had a child. The children of Nicholas and Elena were two daughters and a son, Robert, who died on All Saints Day, 1369, at about 19 years of age (Inquisitio post mortem, Chancery, file 217).† Elena was possessed of land in Kescliff (Westmorland) held of the barony of Greystoke, of the manor of Dufton held in cornage, of rents there; and of clearings in the forest of Inglewood called Kirkethwayt and Lynethwayt held of the king in chief by payment of 60s. yearly to the Exchequer of Carlisle. The worth to the owner was 6s. 8d. yearly; she held also the manor of Johnby, which was to revert to John de Lancaster‡ if Nicholas and she had no progeny. There were great searchings of hearts and of records and several inquisitions and trials in Court to settle of whom Johnby was held. Elena held it in cornage. As her son Robert died unmarried, her inheritance went down to her two daughters—Elizabeth, wife of Thomas de Blencow, and Joan, wife of William de Whitlaw, both over 20 years of age.

It is from the Inquisitio post mortem of Robert their grandfather that we have the next information (Inquisitio post mortem, 45 Edward III., 1st Nos., 60). A part of it is torn away and the names of the jury are gone and it

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* The jury were—at Appleby, Thomas de Blenkansopp, Thomas de Warcopp, William de Crakanthorp, Hugh de Berewys, John de Colby, William de Colby, Thomas de Helton, Robert de Layburn, William del Bornes (?), Roger de Cundale, Walter Tyle, and Ralf de Bagley; at Penrith, Christopher de Moriceby, Thomas de Beauchamp, John Dicconson, John de Leysingby, Adam de Blencowe, John de Alaynby, John de Carleton, William de Hoton, Thomas son of Hugh de Skelton, William de Hoton of Salkeld, John de Dolphinby, and William de Laton.

† The jury were William de Stapelton, Andrew de Laton, Roger de Salkeld, John de Alanby, Gilbert de Suthayk, William (de) Vaux, John de Carlton, William de Hoton, John de Levington, Richard de Laton, John de Leysingby, and William Kityson. The inquisition was held at Penrith and a second also, with the same jury. A third was held, but of this only a small fragment remains.

‡ John de Lancaster was interim feoffee. I have found no other connexion of his with Johnby.

is much discoloured, but enough is left and is decipherable with patience to make out its interesting information. Of this I give a digest. Robert de Veteripont had given his manors of Alston and Ellerington and the advowson of Kirkhalgh to William de Salkeld, rector of a moiety of Dyketon, and Ralf de Kryngeldyk, chaplain, as interim feoffees, and had received them back granted to him for life and entailed on his sons Nicholas, William, and John, and their male heirs in turn in case of failure of male issue of the elder. Nicholas and William at the time of the inquisition were both dead leaving no male heirs, and the next heir in entail was John to whom the jury said the manors and lands ought to come and to his heirs male. The manor of Alston itself,* they said, bought in no profit over and above its expenses. In the manor were three carucates of land each worth 20s., 40 acres of meadow of demesne which were worth 10s. 11d. There were 40 dwelling houses called schelles (shielings) on the moor of Alston, each worth 6s. 8d. yearly. John (de) Williamston held a freehold by fealty containing one messuage and 40 acres of land called "le Houses"† in Gerardesgill, and paid 12d. yearly at Michaelmas. John de Williamston and Richard de Laton held conjointly one messuage and 100 acres of land in Raynerholm by fealty. Walter de Tyndale held one messuage and three carucates of land in Kirkhalgh, and paid 13s. 4d. at Michaelmas. There were 1000 acres of moor which brought no revenue over their expenses. The site of the manor of Ellerington was of no value over its expenses. There was one carucate of land in demesne there which was worth 20s., and there were three acres of meadow worth 3s. in all. There were four messuages there and four husbandry lands (*terre husbandree*), each worth 40s. and each containing 18 acres. There was one cottage worth 3s. and a close of herbage worth

* That is, the homestead and its belongings.

† "The Houses" is marked on Saxton's map of Cumberland in the 1610 edition of Camden's *Britannia*.

3s., and 20 acres of woodland worth nothing beyond expenses. A water-mill there was worth 13s. 4d. yearly. John de Elleryngton paid 24s. for the lands and tenements which he held in Elleryngton. John Leker held a freehold of one messuage and one husbandry land by fealty and payment of one pound of pepper at Michaelmas. The manors and the advowson were held of the king as of the manor of Werk in Tyndale by the service of one knight. Robert held no other lands of the king either in fee or for life. He died on Saturday before St. Mary Magdalen, 1371 (July 18th). Elizabeth and Joan, daughters of Nicholas, were his next heirs; Elizabeth then of 22 and more and Joan of 21, but the reversion of the manors and the advowson was to John, who was still living, and belonged to him and his male heirs.

One is surprised in this by the absence of all mention of the mines. After this—1371—till November 13th, 1414, a space of 43 years, I have come upon no record dealing with Alston. In amongst the multitudes in the Record Office there may easily be undiscovered entries, and amongst private muniments some may be yet existing, to explain what had happened. On November 13th, 1414, Henry V. by letters patent (Patent Roll, 2 Henry V., pt. 2, m. 3) granted to William de Stapilton and his tenants at will of his manor of Aldeston, the continuance of their tenure of the mine with all its profits, liberties, franchises, and immunities as aforetime held; he and his ancestors, lords of this manor, the Patent Roll says (*Willus de Stapilton et antecessores sui domini dicti manerii*) had paid and were still paying for the said mine 10 marcs yearly to the Exchequer of Carlisle, though for 50 years and more the mine had been of no profit to them. The continued tenure was conditional on the continued payment. This entry comes as a surprise, and the next set carries on the surprise. It is a set of records; Placita in Cancellaria, file 25 (17); Chancery Miscellanea, Bundle 53, file 1, Nos. 20 and 22; and Coram Rege Roll, 652, m. 94, all of the

beginning of the reign of Henry VI.—the first of them of his first year, the second of dates between the beginning of his reign and January, 1426, and the Coram Rege of Hilary, 1425. These give the proceedings in the series of actions in which William de Stapilton and Mary his wife tried to recover possession of the manors of Alston, Elryngton, and Gerardgill. The proceedings and trials are interesting enough, but I must simply give a digest; the whole long serpentine progress told in involved wordiness is too long to give in full. The grant to John lord de Clifford of the manors which had been owned by Nicholas de Veteripont "the last deceased" could only have been made a few years preceeding 1422; William de Stapilton held the manor and the mines as we have seen in 1414, but how, we have to discover. John de Clifford held them, according to his Inquisitio post mortem, by the service of paying 10 marcs (£6 13s. 4d.) to the Exchequer at Carlisle. Now this was simply the "ancient" service for the tenure of the mines, and had nothing to do with the service for the manor, military service of one knight, and it looks as though the grant by Henry V., if we could only find it, had been only of the mines, and that in those years of warfare mines and manor had again become confused.

The claim of William and Mary de Stapleton was brought into the Court of Chancery on November 13th, 1422. There they alleged that there was within the realm of England a regal barony (*dominium regale*) contiguous with Cumberland called Tyndale; that from time immemorial it had been a regal barony, and that it was distinct from that county entirely; that Thomas Grey and Isabel his wife, at that time owners of this barony, and all others who had held it had successively had their own chancery, their own courts of common pleas and pleas of the Crown and sheriff's courts, and all other pleas and inquisitions, just as these were held in the king's courts; and that regal jurisdiction of every kind was theirs throughout this barony except only within the mine of Alston, called also

the mine of Carlisle; that it was never the case, except with regard to the mine, that any action about rights in land or claims were taken to the king's chancery from the barony, or that any king's writ was current; that it was never the case that any chancellor, treasurer, justice, sheriff, escheator, or any official of the king exercised jurisdiction there or filled office, except again as regards the mine and touching the liberties and franchises of the mine; that it was never the case that the barony or any part of it or any tenement in it, except the mine, was part of or was in the county of Cumberland*; that the manors of Alston, Elryngton, and Gerardgill, and every part of them, were in the barony and not in the mine, and had always been in the barony; that it was never the case that these manors and tenements were in the county of Cumberland, but they were held of the lords of the barony of Tyndale for the time being by military service, and were not held in chief of the king as the Inquisitio post mortem of John de Clifford had set forth; and they, William and Mary de Stapilton, were seised of these manors and tenements, they said "in demesne as of fee," till by pretext of that inquisition they were dispossessed. They offered to give evidence to prove their statements in what way the Court agreed to hear it, and petitioned that delivery of these manors should not be given to Thomas de Clifford nor to his custodians nor to Elizabeth, widow of John de Clifford, on the pretext of that inquisition, but that the king's hands (sequestration) should be removed, and the revenues accruing since the grant to the Cliffords should be returned to them, the claimants.

The Crown pleader urged that the letters patent of May 27th, 1422, had granted to the two Elizabeths, widows of Thomas and of John lords de Clifford, the custody of all the Clifford castles, manors, lands, and tenements, because

* This must be understood to mean that no part of Tyndale barony was in the county jurisdiction of Cumberland. Inside the nominal bounds of the county part of it certainly was, but the County Courts had no jurisdiction there.

of the minority of the heir; and since the inquisition had included these three manors in the Clifford lands, the three were included in the king's grant, and he maintained that the Court could not proceed without the presence of the two grantees to show why the grant should not be annulled.

It took some time to get under weigh, but to the sheriff of Cumberland a writ went on the 5th of July, 1423, nominally from the king, in reality from the Court of Chancery, summoning the Cliffords to appear in Chancery towards Michaelmas, 1423. Of almost the same date (July 2nd, 1423) was a writ to the Exchequer of Carlisle requiring transcripts of the record of the case of the king against Nicholas de Veteripont in the time of Edward I. (already detailed), to be sent up under seal by the Exchequer; and another, dated July 4th, to the same Exchequer requiring transcripts of the charters of Robert de Veteripont concerning the manor of Alston, "which are in our treasury under your custody, as is said," to be sent to the Chancery at Westminster also under the seal of the Exchequer of Carlisle. The report of the law case, and the transcripts of the three charters (as already given earlier in this paper), were sent sewed to the writs and endorsed with explanations of what they were, and sewed to the writs they remain to this day.

On September 14th, 1423, the writs and the answers being duly returned, both parties appeared in Chancery by attorney. The Clifford attorney claimed in defence that the letters patent ought to hold good, and that the Cliffords, the grantees, ought not to be called to answer for possession without the king, the grantor, being called on (as warrantor). Henry V. was of course dead, and they petitioned the help of his heir, the reigning king. The plea was allowed, and William and Mary were told to seek for a license from the king to proceed with their case if they wished to do so. Before the end of 1423 their attorney appeared in Court bringing

a writ of privy seal, dated November 27th, 1423, to the chancellor, T. Langley, bishop of Durham, allowing the Court to proceed in the case notwithstanding the allegation about letters patent, but judgment was not to be pronounced without consulting the king. The Crown attorney questioned the statements made about the manors, and claimed that they were of and in the mine and parcel of it, and offered to prove this in whatever way the Court thought best. The attorney of William and Mary reasserted that the manors were never of nor in the mine nor parcel of it, and he in turn offered to prove his case, and both sides appealed to have a jury belonging to the country side about Alston. A day was then appointed for the case to be heard Coram Rege (in King's Bench) in the Easter term of 1424. The sheriff of Cumberland was ordered to find a jury of 24 knights and men of standing and probity from the vicinity of Alston, and not related to the Stapletons nor connected with them. The day came and the names of the jury from the sheriff—but no jurymen. The sheriff was ordered to distrain, and to have them to appear in the Octave of Holy Trinity. The attorneys of both parties came at the time appointed, but this time the writ had not been returned by the sheriff. Hence delay once more, and an injunction to the sheriff to require attendance within a month of Michaelmas, 1424, unless the justices of the assizes held assize at Carlisle before the Vigil of the Assumption (Monday, August 14th).

Michaelmas came and with it not only the attorneys of both sides, but a letter from the justices of assize in Cumberland with the record of what had gone on there concerning the case. There William and Mary attended in person, and the jury came. Proclamation "as was wont" was made that if any one on behalf of the lord king wished to challenge the jury or to give information about the matters in question he should come forward and say what he had to say. No one offered, and the Court

proceeded to take the inquisition. The jury, "tried and sworn," gave as their verdict upon oath that the manors and tenements of Alston, Elrington, and Gerardgill, with their belongings, were not nor any parcel of them, nor were they at the time of the Inquisitio post mortem of John lord de Clifford, in or of the mine or any part of the mine, but were as William and Mary had alleged. On the receipt of this report the parties were ordered to appear in the next Hilary term (January, 1425); and William and Mary were told to obtain in the meantime license from the king to proceed. In the Hilary term the attorneys came, and the attorney of the Stapletons produced a close letter of November 28th, 1424, ordering the justices to proceed without delay to give judgment and to do full and speedy justice to William and Mary, the king's writ bidding them not to proceed notwithstanding.

And the last step was that the inquisition of John lord de Clifford so far as it touched the manors was annulled, the letters patent recalled, the sequestration removed, and William and Mary were put into possession and granted the arrears of revenue, "Saving always the rights of the lord king, &c." On February 1st, 1426, a king's writ was sent out requiring a record of the whole trial (Chancery Miscellanea, Bundle 53, file 1, 22). And there the account ends. I only hope I have put together aright the pieces of the puzzle which the different documents and the wordy procedure form.

But the result is to find oneself on a shore of problems. In what way had the inheritance become William's and Mary's inheritance? What was her share in the claim? Who were the ancestors of William that were lords of the manor of Alston as described in the Patent Roll of 2 Henry V.? Were these ancestors his or his wife's? Had there been, if they were his, any interim feoffee entailing them on him and her? If they were his wife's were they granted to him and her in "frank marriage?" Was her's a widow's portion, a life interest only?

A difficulty at the outset is that the manors of Alston and Elryngton were entailed, as we have seen, by Robert de Veteripont, who died in 1371, on heirs male. But facts as well as settlements have to be faced, and, as we have also seen, Margaret, daughter and heir of the last owner, succeeded as "domina" to Alston Moor.

Robert's male heirs must then have entirely failed. But Margaret is not called "domina de Alston" simply; then had the inheritance been divided before it came to Nicholas? This would make him a Veteripont, husband of a Veteripont heiress. We might suppose again that William de Stapleton, husband of Mary, was tenant under a Veteripont, and handed down this freehold to his son, who by marriage with Margaret became mesne lord and not underlord. But the grant to Clifford would not have disturbed this underlordship, and their claim was against the Cliffords for the lordship which Nicholas de Veteripont had had; and there seems no place for a Stapleton underlord in the Inquisitio post mortem of 1371, where the list of freeholders is complete. And William, Mary's husband, in his Inquisitio post mortem in 10 Henry VI., 1433, is described as owner of "a mine of Aldeston More." The possession of the mine *did* descend from him to his son William, who in conjunction with Margaret, the heiress of Alston Moor, was enfeoffed in it by interim feoffees (Inquisitio post mortem, 36 Henry VI., 48). We might now begin to imagine that the mother of William the younger was probably the rightful owner—the co-claimant in 1422. But here again we are on an encumbered path. After the death of William, the father—husband of the co-claimant in 1433—troubles arose between his widow, Mary, and his son, which we are told he had foreseen. William blocked possession of the dowry his father wished to leave her. The troubles were aggravated when a little later Mary was married to Thomas de Bethom; evidently William felt that her new husband was getting a too large share of his estate, though it was only for life. Petitions

went up from Thomas de Bethom* and his wife to the lords chancellors complaining against William. From one of these petitions† we learn to our astonishment that Mary had had a husband before she married William de Stapleton, and that this, her first husband, was Nicholl Wapont (Nicholas de Veteripont), who could hardly be other than "Nicholas de Veteripont the last deceased" of the record of 1422, and father of Margaret, wife of William Stapleton the younger, and owner of Alston Moor! Records are merciless, but we have one more surprise which make this a sort of possibility. In 1443 (Patent Roll, 21 Henry VI.), July 3rd, the king grants to a justice, Richard Neville, 100s. yearly out of rents in Carlisle and Inglewood held for life by Mary, which Richard was to have during the life of Roger, "son of Thomas de Bethom and Mary his wife, late wife of William Stapleton." Mary had a son then after 1433—or 1434. But when in 1433 William Stapleton the elder died, his son was returned as of 40 years of age and over (Inquisitio post mortem, Henry VI., file 59, 8, 9, 10, 11 Henry VI., 40). Therefore he was born about 1393. And since his father was 16 in 1380 (Inquisitio post mortem, 2 Richard II., No. 62) this is quite easy. But Mary, the widow of Nicholas de Veteripont and of William Stapleton, could not have been the younger William's mother, and for the same reason *a fortiori*, she could not have been the mother of Margaret de Veteripont. She must then have been second wife to Nicholas as well as to William. Her identity is established by the entry from the Patent Roll last quoted; for we can trace back the Inglewood grants, first to confirmation of them in 1437 (Patent Roll, 16 Henry VI., pt. 1, No. 32) after her marriage with Thomas de Bethom, and then to 1414 (Patent Roll, 2 Henry V.) when they were confirmed to William de Stapleton and

* Early Chancery Proceedings, Bundle ix., 68; ix., 307; xii., 220; lxx., 85.
† lxx., 85.

settled on her, Mary, for life after William's death. Therefrom we learn that Nicholas was at that time dead, and she was William's wife. And now a way begins to open. For it is in this very year that Henry V. confirms to William the tenure of the mines as held by his "ancestors," lords of Alston. We recognise that all male heirs of Veteriponts had come to an end, otherwise Margaret, daughter of Nicholas, could not have inherited Alston Moor. And we look back once more; Elena, widow of a former Nicholas, at her death in 1362 held in her own right the manor of Johnby and that of Kescliff in Dufton, Westmorland; these possessions were handed down, parted, between her two daughters, Elizabeth de Blencow and Joan de Whitlaw, her co-heiresses, who are also called the heirs of Robert de Veteripont their grandfather, though not to the entailed manors. Now the assignment of the dowry of Mary, widow of William de Stapleton, who died in 1433, as well as his own Inquisitio post mortem, shows that William held lands in demesne in Kesclyff and in Johnby, though not the manors; part were assigned to Mary for life, part went down to his son. This is strong evidence for either William Stapleton the elder or his wife being a descendant and heiress of either Elizabeth de Blencow or Joan de Whitlaw. William it could not have been for we know that his mother was a Ritson, and going further back is to go too far. Therefore his wife (whose name I have not found) and mother of his son was the descendant, and on total failure of Veteripont male heirs heir to part of the estate. On this hypothesis we can clear away mystery, and construct a probable history. The death of Nicholas brought to William, through his wife who had left a son and heir, the reversion of tenures in Alston; and the possession of tenures in Kesclyff and Johnby were already his through his wife. William chose to marry the widow of Nicholas, and therethrough became joint sharer in her Veteripont dower for life. He married his son William to the daughter of

Nicholas, and so made him in her right joint possessor of Alston Moor, and thus brought into the Stapleton family the whole inheritance of the Veteriponts, except the portion which would go to the descendants of the other daughter of Elena, and if these also had failed, the whole. This hypothesis is countenanced by the attempt to assign to Mary much out of the Alston tenements for life, which would be her Veteripont dower, and by the final assignment in her dower after the somewhat natural troubles with William, the husband of the heiress, were settled, of no lands at all in Alston, but Stapleton tenures only.

Early Chancery Proceedings,

B. 70, No. 85.

This is by far the most full of particulars of all the petitions sent up. It is not only delightful as a specimen of the local English of the period, but is interesting for the particulars afforded regarding the arrangements attempted in trying to settle the dower of Mary; and taken in contrast with the actual settlement made after inquisition it helps to clear some dubious points. The four "brether-in-lawe" are given in another petition (B. 9, 307) as Henry Fenwyk, kt., Hugh Lowther (of the Cumberland branch presumably), Robert Clexton, and Thomas Salkeld, the other two "thriftie" persons as "men leving in the lawe," and their names John Urswyk and Thomas Burgham. The date of the petition, which from the word "faderhode" near the end was sent up to a chancellor who was also bishop, is limited to two periods 1436-7, when Henry Fenwick was sheriff of Cumberland, or 1439-40 when Hugh Lowther was sheriff; these are the only brothers-in-law who as sheriffs came within possible limits. Either period would suit the chancellorship of John Stafford, bishop of Bath and Wells, and to him the petition B. 9, 307, was addressed. The dower was not assigned till 1443; and even after that things did not run smoothly. On May 11th, 1444, a mandate was

sent to arrest William Stapleton to cause him to cease preventing Thomas Bethom from executing an order given in Chancery; and on June 8th, 1444, he was reported as not found, having betaken himself to unknown places to escape being compelled. The tabulation which follows the petition is given to save space instead of the separate inquisitions.

EARLY CHANCERY PROCEEDINGS, 70/85.

Meacly beseiches Thomas of Bethome and Mary his wife sometyme wife to Nicholl Wapont and afterward wife to William of Stapulton that where as the saide William lying on his dethebede, dredyng gret debate and hevynes to fall after his decesse betwene his saide wyfe and William of Stapulton his son about dyvers joyntures and astatez, dowers of dyvers londys, and tentez, made a wille and appoyntement, to the whiche the saide Mary and William the son were agreet, and sworne opon a boke truly to hoode and performe, that is to say that the said Mary shulde have for terme of hir lyve certeyne londes and tentes in Bocharby Staynton and Dolfenby, and that the saide William the son shulde have the maner of Ednel with the towne of Brambray, and that all the remnant of the londez and tentez of the saide William the fader shulde evenly be departet betwene the saide Mary and William the son, the whiche londs and tentez so appertenyng to the saide Mary ben of the value yerly over all charges of a c marcs and xx. And where as the saide William the fader was full in purpose to have made the saide Mary his sole executrice, and that she shulde have hade the residue of all his godez; his body buryet, his debts whytte* and his bi whestez† performet, the(n) be mediation of the saide Mary the saide William the son was made his executor, because of the grete trist that she hade to hym for his said othe; the whiche residewe is of the valewe of m^l m^l marc' (2000 marcs) and more; after that the saide William the fader passet to God. After (whose) decesse the saide William the son variet with the substaunce of this appoyntement and accorde, whereupon be mediacion of thaire frendes the said Mary and William the son were sworne to abide the ordenaunce of all this mater of iiij brether in lawe of the saide William the son duryng which [ ] an(d) ensuraunce the saide

* Quitted.
† Bequests.

Mary suffret the sayd William the son to have the kynges writtes of office to be servet after his own entent agayn the saide Mary wrongwisly; and the awarde made be othe [of] the said iiij brether accordyng to the first appoyntement he refuset to perfourme; and because [that?] the saide William the son yet efte refuset to perfourme this appoyntment when the saide Mary hade taken to husbonde the saide Thomas, the saidez supliauntz and William the son were put in awarde ordenaunce and dome of vi thrifte persones of which vi foure were brether in lawe to the said William the s[on] [which were] sworne upon a boke to be even men betwene the saide suppliauntez and the saide William the son, the whiche awardet that the saide Mary shulde have all the londez and tentez in Bocherby Staynton Penereth Dereham Thurstanefeld Gaytscales Wgtredsete Sebraham Aldate Bruht* Sandholm Gamylsby Hubrightby Stapulton Haidanebrigge and Kryngildike and also all the londez and tentez which Hoge Vicars John Bramwra Thomas Clerke John Vicars Thomas Jacson Thomas Cwersour (?) John Hansell William Bakster William Bales John Dryburn Thomas Fawell Vicar of Aldeston Robert Bramwra William Alisaunderson John Watson John Lekson (?) William Archer Wat Hechonson William Cobes John Boweman John Bakster William Diconson John Richardson of Dryburn and Robert Shortrede at that tyme helde in Aldeston more, and also a place callet Galhoue (?) a place callet Jopeeshe a place callet Smythehill, a place in the tenure of Thomas Fawewell, a place callet Poundesholme, a place callet Hundhawe, a place callet Blakgill, 13s 4d of the ferme of Kirkehagh 12d of the ferme of Thomas Wepound† and a place callet Topley side in Aldeston more with all the arrerag^s of rentes then lying unpaide in the hondez of the tenauntez of the said tentez after the deth of the saide William the fader; and that the saide Mary shulde be made sewre of the same ten(emen)tez to terme of her lyve be the saide William the son and his assignes as in the awarde made and e[ ]t be the [ ] six arbitrours, here redy to shewe, hit playnle apperes. Also the said arbitrours ordenet and awardet that the saide William the son shulde have other certeyn tentez parcell of the tentez of the saide William the fader as in the saide awarde apperez. Also the saide arbitrours awardet that the saide Mary shuld have [all the?] halvendele the residewe of all the godes and catellez of the saide William the fader; his dettes whitte and his wquistz‡ performet, except that the saide Mary shulde have all the

* Burgh-on-Sands.
† Vipont—Veteripont.
‡ For bi quistz, bequests.

array for her own body clere without particion, and the saide William the son all the array that was to the body of the saide William the fader the day of his deghyng* clerely without particion, and except also that the saide Mary shulde have al the money that at the tyme of that awarde yeven she had in her possession, that was to the saide William the fader the day of his deghyng, clere without clayme of the saide William the son or of his assignes. And that the said William the son shulde have all the money that was in his possession the tyme of the saide awarde gyven, the which was to the saide William the fader tyme of his deghying with(out) clayme of the saide Mary. After whyche awarde yeven the saide partiez were sworne to mete at a certeyn tyme at Penereth, and that thai shuld have ther at that tyme all the dedez and munimentz concernyng the said tentez the which that thai had in thaire possession, or any other maner to thaire use, to the effecte that the saide landez and tentez shu(lde) be departed accordyng to the saide awarde, and that ayther partie myght have the dedez and munimentz concernyng thaire part of the saide tentez: at which tyme and place the saide partiez mette and one Thomas Salghill, the which had certens dedez and munimentez concernyng the saide ten(ementz) be lyvery of the saide Mary when she was sole, to kepe to her use at the request of the said arbitrours, sende† by a servaunt of his the saide dedez and munimentez to the same place at the same tyme to be delivered to the saide Mary; at which tyme the said William the son with force and armiez made‡ to take the saide dedez and munimentez fro the saide servaunt of the saide Thomas Salkell; of which dedez and munimentez the saide suppliauntez have no copy. And the saide Mary not lret§ ne full notice having in certeyn how she shall ask theyme be course of the commyn lawe. Also where (as) the saide suppliauntes hav to ferme of the kyng diverse wodez in Barrokfeld Itonfeld and Brougill by syde Karlill, there the saide William the son hath fallen and lad away grete quantite of these wodez, and labours|| an action of wast¶ to be sewet for the kyng agayn the saide suppliauntez for the wast done by the saide William the son, agaynes all maner of consciens; the which William the son also holdez and occupiez the substance of all the maners londez and tentez that the saide Mary shulde have in the fourme afore rehercet

* Dying.
† Sent.
‡ Caused.
§ Probably l[ette]ret=informed.
|| Exerts himself to cause.
¶ Waste.

and also witheholdez fro the saide Mary the substance of the residewe of the godez and catell aforesaide appurteining to the saide Mary. Also, hevyng trety taken be the worshipfull lordez the Erles of Stafford and Northumberlond betwene the said suppliauntes and the said William the son, he sewet pryvely an accion of wast agaynes the saide suppliauntez, supposyng* thayme to have done wast in the saide tentes in Staynton; and thai not warnet ne soment, he hade opon thaire defaute a writ to the Shirref of Cumberland his brother in lawe to enquere of the wast, and the under-shirref delyveret to the saide William the son the writ and inquisicion; by force thereof taken to retorne hit, the saide William (the) son chonget the Inquisicion and the verdit and retornet a grettor somme by ciili xij s xd then ever the Jurie saide, to gret hurte and perillous deceyt to the said suppliauntez, of the whech wrongez, odious deceytes and offences the saide suppliauntez may† have no dewe remedy be course of the commyn lawe. Please hit unto your gracious fader hode to consider these premissez and (that) the said William (the) son may be examyned of the maters and articlez aforesaide, and that the saide Thomas and Mary may have, and rejoyce, all that‡ right gode faithe and conscience requeren in this partie by zoure hiegh and wise discrecion, for the love of God and in way of chari(tie).

WILLIAM STAPLETON'S POSSESSIONS,

AND THE PROPOSED AND FINAL SETTLEMENTS OF THE DOWER OF MARY HIS WIFE, WIDOW OF NICHOLAS VETERIPONT.

* Proposed by William himself, together with even partition of all others except Edenhall and Bramwra.

† Proposed by the "brether-in-lawe."

‡ Settled by inquisition.

Kesclyff (lands in).	Burgh-on-Sands.† ‡ (Brught)
Yanwyth ‡ ,,	Studeholm.†
Brammwra.	Gamlesby.†
Penreth.‡	Hughterset.† ‡
Carleton.‡	Dereham.† ‡
Joneby,‡ part.	Uldale.
Lasyngby.	Stapilton.†
Blencarn.	Levyngholme.†
Cargowe and fishery.	

* Alleging.

† Can.

‡ That which

Comquyntynge.
Gryngyldyke.†
Hubrightby.†
Stanewyges.
Karliol,‡ tenements in
Ragheton.
Gaytescales.†
Castel Soureby.
Thurstanesby.†
Lambergh.‡
Alston Mine.
Alston Moor,† tenements in
Bochardby.* †
Stanton.* † (not in inquis.)
Sebraham.†
Aldale.†
Haidenebrigge.†
Kirkhaugh,† tenements in.
Dolfenby. * ‡
Edenhall.

She had by royal grant for life Barrokfeld, Itonfeld, and Brougill in Inglewood Forest.

CHARTERS TO ST. PETER'S HOSPITAL, YORK.

Grants in Meaburn Mauld and Crosby Ravensworth.

These charters are copied from a series of transcripts in the Charter Rolls of 22 Edward I. The original grants were subject to confirmation by the kings from time to time, and when this happened the charters were sometimes copied on the Charter Rolls. The copying was not too accurately done. In one or two of them the names of the witnesses were so misread that one can hardly make even a good conjecture what names the originals had on them. These grants are valuable, however, for the light they throw on the history of de Morvilles and de Veteriponts.

Charter I.

The first charter is a grant by William, the husband of Mauld de Morville. It must date from the latter half of the twelfth century. We cannot conclude for certainty that it was drawn up after the death of Earl Henry (son of David I., king of Scotland), which took place in 1152, but we may almost presume this because William does not include his wife among those for the safety of whose souls the grant is given, but only mentions her consent,

and this looks as if the others mentioned, like his father and mother, were dead.* I think the name Langerun among the witnesses must be for Langetun (Longton in Leyland, Lancashire); p'tor was probably for presbyter, Alurei for Alured (Alfred), Princanei for Pincerna—but these are only conjectures.

CHARTER I. (MEABURN).

MAULD DE MORVILLE'S INHERITANCE.

Sciant omnes audientes et videntes has literas quod ego Willelmus de Veteri Ponte dedi et concessi fratribus hospitalis Sancti Petri Eboraci 4 bovatas terre liberam et quietam in elemosina in Mebrun pro salute animarum Henrici comitis et Fuconis fratris mei et Ivonis fratris mei et patris mei et matris mee; et † hoc concessisse Mahald femine mee‡ Hii sunt testes Alexander clericus de Crossebi Raulf de Liti(Lib?) Paganus de Langerun Gillemichel p'tor Alurei venator Frem' Raven Willemus Princanei Frebald Walter.

Know all who hear and see this letter that I, William de Veteripont, have given and granted to the brothers of the Hospital of St. Peter of York 4 bovates of land free and released (from all secular service) in alms in Meaburn: for the safety of the souls of Earl Henry and of Fulk my brother and of my father and my mother: and that Mahald my wife has granted this. These are witnesses, Alexander clerk of Crosby, Ra(n)ulf de Liti (?), Payn de Langetun (?), Gillemichel presbyter (?), Alfred (?) the huntsman, Frem' Raven, William Pincerna (? the butler), Frebald, Walter.

CHARTER II. (MEABURN).

A charter of grant by Mauld herself. Garethorn is still identifiable as Garthorn. One of the most interesting points in the charter is the clause in which she says that she will obtain her brother's sanction to the grant within

* William was living between 1153 and 1171, as Charter I. (Alston) shows. These are the limits of date of that charter, and not 1153-1177, as by a slip I gave them. That Ivo succeeded him at Alston between 1182 and 1187 we learn from Charter II. (Alston).

† Probably "sciant" is to be understood.

‡ *Sic*, for feminam meam.

six months of his return to England. That charter of sanction is not in the series on the roll, but a corresponding one confirming a grant is No. IV. On this and the light it throws I comment when we reach it.

William Bacun, a witness, may be an early ancestor of the family that held Hilton Bacon. Davull is probably Davill. A Walter de Davill (Farrer, *Lancashire Cartulary*, p. 389) witnesses a grant by Roger de Mowbray to William, son of Gilbert de Lancaster. There is nothing to settle which Aliza de Gant this was; mother, daughter of William Paganell, or daughter married to Robert, son of Harding.

CHARTER II. (Meaburn).

Mauld de Morville's.

Sciant omnes fideles tam futuri quam presentes quod ego Matildis de Morevill et heredes mei concessimus et dedimus et carta nostra confirmavimus Deo et pauperibus Hospitalis beati Petri Eboraci totam terram nostram nomine Garethorn cum omnibus suis pertinentiis, tenendam de nobis in feudo et hereditate libere et quiete, reddendo nobis singulis annis unam marcam argenti pro omni servicio et consuetudine humana, scilicet dimidiam ad Pentecosten et dimidiam ad festum Sti Martini. Insuper dedimus eisdem pauperibus communam in Mebrun cum hominibus nostris ejusdem ville. Quare volumus et precipimus ut predicti pauperi supra memoratam terram in bene et pace in nostra firma custodia ac protectione teneant; prefatam quippe terram eis contra omnes homines tenebimus et warrantizabimus. Et preterea hoc sciendum

Know all the faithful both those to be and those living now that I, Matildis de Morevill, and my heirs have granted and given and by our charter have confirmed to God and the poor men of the Hospital of the blessed Peter of York the whole of our land named Garethorn with all its belongings; to be held of us in fee and heredity in free tenure and released (from other services) they giving to us each year one mark of silver for all service and customary dues (payable) to man: that is to say, one half mark at Pentecost and one at the feast of St. Martin. We have also given to the same poor men common in Meaburn to be held as our men of the same vill hold it. Wherefore we will and order that the aforesaid poor men shall hold the above mentioned land to advantage and in peace in our assured guardianship and protection:

est quod faciam Hugonem de Morevill, fratrem meum et dominum, infra primum dimidium annum in redditu suo in Angliam, supradictam concessionem et donationem cum omnibus pertinentiis suis prescriptis eisdem carta sua confirmare pauperibus [predictis]. His testibus Roberto Davull Radulfo de Beauver Willelmo Davull Adam Luvell Willelmo Bacun Roberto de Buci Roberto de Bello Campo Henrico de Stemgrif Ivone de Dacis Aliza de Gant Gilberto Capellano Nicholao Capellano Willelmo clerico.

and we will ensure and warrant the aforesaid land to them against all men. Further it is to be known that I will cause my brother and lord, Hugh de Morevil, within the first six months after his return to England to confirm to the said poor men the aforesaid grant and donation with all that thereto belongs. As witness these:—Robert Davull, Ralf de Beauver, William Davull, Adam Luvell, William Bacun, Robert de Buci (? Bussci), Robert de Beauchamp, Henry de Stemgriff(?), Ivo de Dacis, Aliza de Gant, Gilbert the chaplain, Nicholas the chaplain, William the cleric.

Charter III. (Crosby Ravensworth).

This charter of Thorphin de Alverstayn I have inserted chiefly because of its being that confirmed by Hugh de Morville, assuredly the brother of Mauld. The charter mentions a Hugh de Morville, who was evidently dead, for Thorphin renews the conditions under which St. Peter held in the time of Hugh, but the benefits are desired for a Sir Hugh in which a distinction seems to be made between two of the name. This would be intended for the benefit of the Hugh who sanctions.

An interesting item in this charter is the grant of a right of way as if in "severalty" over the common, to St. Peter. The witnesses are chiefly members of St. Peter's Hospital.

CHARTER III. (Crosby Ravenesworth).

Notum sit Archiepiscopo Eboraci et Decano et toto capitulo ecclesie Sti Petri, et universis Sancte Matris Ecclesie filiis quod ego Thorphinus de Alverstayn

Be it known to the Archbishop of York and the Dean and the whole chapter of the church of St. Peter and to all sons of Holy Mother Church that I, Thorphin

et Alanus filius meus et heres concessimus et dedimus Deo et Sancto Petro et Sancto Leonardo et pauperibus Hospitalis Sti Petri Eboraci 40 acras in Crossebi juxta molendinum in uno tenore ubi edificia hominum Hospitalis sunt, et 9 acras, ad Blascher ubi edificia fratrum sunt, in continue juxta 24 acras, et tocius ejusdem ville communem pasturam in latitudinem 6 perticarum ad exitium sibi et hominibus suis qui manserint super illam elemosinam ubi tempore Hugonis de Morevilla a primo exitum habuerunt, et hec omnia optulimus super altare Sti Petri ad opus pauperibus Hospitalis in firmam and puram et perpetuam elemosinam liberam et quietam et solutam ab omnibus geldis et consuetudinibus et auxiliis et ab omni humano servicio et regis et aliorum dominorum; et hoc fecimus pro Dei amore et pro anima domini Hugonis de Morevilla et pro nobismetipsis et pro salute dominorum nostrorum et pro animabus omnium antecessorum nostrorum, ut simus participes omnium bonorum et orationum que fiunt in illa sancta domo, tam in vita quam in morte. Insuper concessimus et dedimus fratribus ejusdem Hospitalis ad tenendum de nobis et heredibus nostris jure hereditario 6 bovatas terre, videlicet illam terram totam a 40 acris elemosine per supercilium montis qui dicitur Brunebanca usque ad veterem fossatam que descendit de

de Alverstayn, and Alan my son and heir have granted and given to God and St. Peter and St. Leonard and the poor brethren of the Hospital of St. Peter of York 40 acres in Crosby situate by the mill in one stretch where the buildings of the men (tenants) of the Hospital are, and 9 acres at Blascher where the buildings of the brethren are next to their 24 acres, and a breadth of 6 perches of the common pasture of the whole of the said vill, for an exit for them and their men (tenants) who shall reside on their elemosinary land, where they had from the first an exit in the time of Hugh de Morvill; and all this we have offered on the altar of St. Peter for the use of the poor brethren of the Hospital in assured and pure and perpetual alms, free and quit and discharged from all gelds, customary dues, and aids, and all secular service due to the king and other lords; and this we have done for love of God and for the soul of Sir Hugh de Morevill and for ourselves and for the salvation of our lords and for the souls of all our ancestors, that we may be participators in all the good deeds done and prayers made in that sacred house, both in life and in death. Moreover we have granted and given to the brothers of the same Hospital, to be held of us and of our heirs in hereditary right 6 bovates of land, namely all that land from the 40 acres of alms stretching along the brow of the

Brunebanca ad semitam de Askeby et sic per illam semitam usque ad viam que vadit de Appelby ad Tebay et sic per divisas de Mebrunna usque ad terram ecclesie de Crossebi et sic per illam terram usque ad supradictas 40 acras elemosine, et 12 acras in Blaskersica; reddendo nobis per annum et heredibus nostris predictis, 16 solidos pro omni servitio; 8 solidos ad Pentecosten et 8 solidos ad festum Sti Martini. Nos vero nullos monachos nec religiosos in territorio de Crosby recipiemus nec aliquem divitem propter gravamen supradictorum fratrum. Hec omnia nos eis acquietabimus et warantizabimus erga dominos nostros et omnes alios homines. Nos vero hoc servaturos sine fraude et malo ingenio fide et juramento firmavimus, cujus rei hi sunt testes, Robertus decanus Simon camerarius Willelmus Tillemur Walterus filius Fagenolfi Magister Robertus de* Scot Stephanus Camerarius Robertus Morel Durandus de Wyntonia Alveredus capellanus Robertus Scire Petrus de Vestiario Patricius Capellanus Radulphus de Saxtun Ricardus clericus decanus Petrus de Hemeleseia Johannes clericus Rogerus Inker Johannes de Vestiario Ermisius de Blackestrete.

hill called Brunebanc to the old dyke which goes down from Brunebanc to the path to Asby, and then along that path to the road which goes from Appleby to Tebay, and so along the bounds of Meaburn to the land of the church of Crosby, and so along that land to the aforesaid 40 acres of elemosinary land and (their) 12 acres in Blaskersic: they giving us and our heirs yearly 16s. for all services: 8 at Pentecost and 8 at St. Martin's feast day. And we will receive (as tenants) no monks nor religious in the land belonging to Crosby nor any rich man to the hurt of the aforesaid brethren. All this we will acquit (from other services) and warrant to them against our (over)lords and all men else. And we have taken oath and given security that we will keep to this without fraud and fraudulence: of which thing these are witnesses, Robert the dean, Simon the chamberlain, William Tillemur, Walter son of Fagenolf, Mr. Robert the Scot, Stephen the chamberlain, Robert Morel, Durand de Wynton, Alfred the chaplain, Robert Scire, Peter of the vestry, Patrick the chaplain, Ralf de Saxtun, Richard cleric and dean, Peter de Hemelseia (? Helmsley), John the cleric, Roger, Inker, John of the vestry, Ermisius (? Ernisius) de Blackestrete.

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* "De" probably for le, a mistake which occurs not so seldom as one would expect.

Charter IV. (Crosby Ravensworth).

The value of this charter is, I think, that it settles a long existing doubt. The grantor, Hugh de Morville, is shown by the very diction to be in a very different position from that of a lord of a manor. The whole tone is that of the owner of a barony containing manors under it. He grants his "firm peace throughout his land" in the style of one who has seignorial position and officials to carry out his rule. The term the king's peace was the insurance of the king's protection to his subjects in his realm; a baron's peace was the baron's protection to the tenants in his barony in a franchise quasi regal; and both needed officials to enforce their peace. In amongst the witnesses we have Haverd the constable of Knaresborough. This was the castle of Hugh de Morville, lord of Westmorland and Knaresborough till 1173 (Farrer, "On the tenure of Westmorland," these *Transactions*, N.S., vol. vii., p. 103), and the sanction could be given by no other than this Hugh. Comparing this with the undertaking by Mauld in Charter II. we get an unmistakeable identification of the slaughterer of Becket with her brother. Evidently her father's name was also Hugh as we cannot but judge from the language in Thorphin's charter. That the grant of the barony of Westmorland to Robert de Veteripont, Mauld's eldest son, who if Hugh left no children was his heir, was a continuance of its holding by the same family, as I suggested (these *Transactions*, N.S., vol. ix., p. 260) seems thus confirmed. But I was wrong there in suggesting that the slaughterer of Becket was Hugh, father of Mauld, and the tentative pedigree wants correction. The date of the charter, as shown by Gospatrik Ormson being witness and by the date of the deprivation of Hugh's barony of Westmorland, must have been before 1179.

CHARTER IV. (Crosby Ravenesworth).

Confirmation by Hugh de Morville.

Hugo de Morevilla omnibus suis hominibus et ministris suis universisque Sancte Matris ecclesie filiis tam presentibus quam futuris salutem. Notum vobis facio me concessisse et hac presenti carta mea confirmasse Deo et Sto Petro et pauperibus Hospitalis beati Petri Eboraci totam terram et pasturam in Crossebi quam Torphin de Alvestayn et Alanus filius ejus eis in elemosinam perpetuam prius dederant liberam et solutam et quietam, eisdem metis et eisdem divisis sicut in carta Thorphini et Alani prenominatorum; et preterea confirmo predictis pauperibus terram quam tenent de Thorphino et Alano ejus filio in feodo et hereditate in campis de Crossebi in omnibus sicut carta virorum prenominatorum testatur. Quare volo et firmiter precipio quatenus predicti pauperes prefata teneant in bene et in pace and honorifice, et concedo eis et hominibus suis et omnibus qui ad se pertinent meam firmam pacem per totam terram meam, et prohibeo ne aliquis ministrorum meorum sibi vel suis forisfaciat aut disturbet sive injuste implacitet. Hec autem feci pro salute anime mee et pro animabus patris mei et matris mee et omnium antecessorum meorum ut simus participes omnium beneficiorum et orationum que fiunt vel facienda sunt in illa

Hugh de Morevill to all his men and officials and all sons of Holy Mother Church, greeting. I do you to wit that I have granted, and by this my present charter have confirmed to God and St. Peter and the poor brethren of the Hospital of St. Peter of York all the land and pasture in Crosby which Torphin de Alverstayn and Alan his son had given to them in perpetual alms, discharged and quit (of all other services) within the same bounds and limits as in the charter of Torphin and Alan aforesaid are described; and moreover I confirm to the aforesaid poor brethren the land which they hold of Thorphin and Alan his son in fee and heredity in the fields of Crosby in all points as described in the charter of theirs aforesaid. Wherefore I will and charge that the aforesaid poor brethren shall hold these to advantage and in peace in honourable tenure; and I grant to them and their men (tenants) and to all who belong to them my firm peace throughout my land, and I forbid any of my officials to forfeit or disturb or unjustly implead them or theirs. This I have done for the safety of my soul and for the souls of my father and my mother and all my ancestors that we may participate in all the good deeds done or to be done and

sancta domo Dei nocte et die tam in vita quam in morte. His testibus, Roberto Archidiacono de Karliolo Roberto dapifero Roberto Aristotele et toto capitulo de Appleby Thorphino filio Roberti Reginaldo de Belshamp Gilberto fiio Serlonis Gospatricio filio Orm Hauerd Constabulario de Cnaresboro Henrico clerico.

all the prayers made or to be made in that sacred House of God night and day in life and death. As witness these, Robert archdeacon of Carlisle, Robert the steward, Robert Aristotle and the whole chapter of Appleby, Thorphin son of Robert, Reginald de Beauchamp, Gilbert son of Serlo, Gospatrick son of Orm, Haverd constable of Knaresborough, Henry the cleric.

Charters V., VI., and VII.

Charters V. and VI. are by Ivo de Veteripont. In V. he mentions particulars of his kindred. The Hugh de Morville mentioned must be his mother's father. It would seem that Ivo had only one brother, Robert, since he makes no mention of another. Isabel de Lancaster, his wife, was very probably a daughter of William de Lancaster I. and Gundreda,* daughter of Roger, earl of Warwick. Gundreda's grandmother was Isabel of Vermandois, and the name of Ivo's first wife seems like a reminiscence of that name.

Of the witnesses Henry de Cundale was of Bampton, Ranulf de Pinkeney of Meaburn and Wickerslak, Richard of the abbey was probably of Shap. A witness to Charters VI. and VII., Richard de Camera, was probably of Little Strickland (these *Transactions*, N.S., ix., p. 267). The le Butiler family held King's Meaburn. My attempts to find the modern names of the places in Meaburn and Crosby mentioned, except those recorded on modern maps, were failures. Old lists and old memories were consulted, but in vain. Charter VII. simply finishes the series of grants to St. Peter connected with Garthorn, which begins with Mauld's gift in Charter II.

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* If Gundreda was, as Colonel J. Parker maintains (*Yorkshire Archæological Journal*, xxi., p. 67), widow not daughter of Roger, earl of Warwick, Isabel would be her mother.

CHARTER V. (Meaburn).

Mauld de Morville's Inheritance.

Omnibus Sancte matris ecclesie filiis has literas visuris vel audituris Ivo de Veteri Ponte salutem. Noveritis me intuitu caritatis pro salute anime mee et pro animabus Hugonis de Morvill et Willelmi de Veteripontis patris mei et Matille de Veteri Ponte matris mee et Roberti fratris mei et Isabelle de Loncastre sponse mee et omnium predecessorum et heredum et successorum meorum dedisse concessisse et hac presenti carta mea confirmasse Deo et pauperibus Hospitalis Sti Leonardi de Eboraco Garethorn cum pertinentiis secundum limites et divisas subscriptas, scilicet ab antiquiore stagno molendini de Garethorn usque ad Ghile proximum terre arabili usque ad magnam fossam et ita ex transverso vie que venit de Kendale usque ad magnum lapidem et inde usque ad finem quatuor lapidum et ita descendendo usque ad capud de Windecotghile inferius et inde ad Rudekeldesic, in Rudekeldesic descendendo per rivulum Driabecghile usque ad divisas de Hof, et sic ex transverso usque ad divisam que est inter Ascheby et Gareth[orn] usque ad rivulum de Ascheby et inde ascendendo usque ad predictum antiquum stagnum; totam hanc predictam terram secundum limites predictos dedi et concessi et hac presenti carta mea con-

To all sons of Holy Mother Church who shall see or hear this letter Ivo de Veteriponte, greeting. Know ye that guided by charity, for the safety of my soul and for the souls of Hugh de Morvill and William de Veteripont my father and Matilda de Veteripont my mother and Robert my brother and Isabel de Lancaster my wife and all my ancestors and heirs and successors, I have given and granted and by this my present charter have confirmed to God and the poor (brethren) of the Hospital of St. Leonard of York Garethorn with its belongings according as the under written limits and boundaries show: that is to say, from the older mill pond of Garethorn to the Ghil next the ploughland as far as the great dyke, and then across the way which comes from Kendal, up to the great stone, and then to the end of the four stones; thence descending to the lower head of Windecoteghil, and thence going to Rudekeldsike; in Rudekeldsike descending by the stream of Driabecghile to the bounds of Hof; then transversely to the boundary between Asby and Garethorn to the stream of Asby, and thence ascending to the aforesaid old pond: the whole of the aforesaid land according to the aforesaid limits I have given and granted and by this my

firmavi Deo et prefato Hospitali in puram et perpetuam elemosinam cum molendino de Garethorn et pertinentiis et cum communa pasture de Mebrun, habenda et participanda fratribus ejusdem Hospitalis de averiis suis de Garethorn cum hominibus meis de Mebrun rationabiliter quantum pertinet ad tenementum de Garethorn liberam solutam et quietam de me et heredibus meis in perpetuum ab omni seculari servitio et exactione. Fratres autem illius Hospitalis non excolent amplius de terra illa quam tempore hujus donationis mee excoluerant; salva tamen eis pura et perpetua elemosina in terra illa. Preterea dedi et concessi et hac eadem carta mea confirmavi predicto Hospitali in puram et perpetuam elemosinam dimidiam carucatam terre in Mebrune quam ibidem tenuerant in vita patris mei et matris mee cum omnibus pertinentiis suis infra villam et extra, cum rationabili instauro secundum quod aliqua alia dimidia carucata terre in eadem villa pati potest et cum omnibus aliis aisiamentis et libertatibus excepto quod homines (qui) in terra manebunt sequentur molendinum meum. Ego vero Ivo et heredes mei warrantizabimus prefato hospitali omnes supradictas terras cum pertinentiis in puram et perpetuam elemosinam ita libere et pure et quiete sicut aliqua elemosina libere haberi potest, et defendemus et acquietabimus eas in perpetuum contra

present charter have confirmed to God and the aforesaid hospital in pure and perpetual alms together with the mill of Garethorn and its belongings and with common of the pasture of Meaburn: to be had and shared in conjunction with my men of Meaburn, as far as belongs to the tenement of Garethorn by the brethren of the same hospital for their beasts of Garethorn; in free tenure released and quit of all secular service and exaction, of me and my heirs for ever. The brethren of the hospital shall not turn to tillage more of the land than they had tilled at the time of this grant; saving to them their rights in the land, of pure and perpetual alms. Moreover I have given and granted and by this same charter have confirmed to the aforesaid hospital in pure and perpetual alms half a carucate of land in Meburn which they had held in the life of my father and my mother with all that belongs to it within and without the vill with a reasonable renewal of stock such as any other half carucate in the same vill is allowed, and with all other easements and liberties, except that their men who shall dwell on the land shall do suit to my mill. And I, Ivo, and my heirs will warrant to the said hospital all the aforesaid lands with their belongings in pure and perpetual alms as freely and completely as any alms can be had, and we will defend and acquit them for ever against all

omnes homines ob omni seculari servitio et exactione. Hanc vero donationem et warantizationem meam sigillo meo presenti impressam super altare ejusdem Hospitalis manu propria optuli. His testibus: Rogero de Bello Campo Ricardo fratre ejus Rogero de Bedhum Willo de Wytheud Henrico de Cundale Fulcone de Neuport Willelmo et Gregorio de Hvale de Ravenesby Ranulpho de Pynkeni, Jacobo et Roberto de Neuby Roberto filio Ulf Willelmo filio Simonis Ada fratre ejus Johanne clerico de Lanesdale Johanne de Capella Ricardo de Abbatia Willelmo Ada' Petro Willelmo sacerdotibus Bernardo stabulario Alano Eustachio et multis aliis.

men, from all secular service and exaction; and this gift and warrant with my present seal attached I have offered on the altar of the same hospital with my own hand: with these as witnesses: Roger de Beauchamp, Richard his brother, Roger de Betham, William de Wytheud, Henry de Cundale, Fulk de Neuport, William and Gregory de Whale of Ravenesby, Ranulf de Pinkeney, James and Robert de Newby, Robert son of Ulf, William son of Simon, Adam his brother, John the cleric of Lanesdale, John of the chapel, Richard of the abbey, William, Adam, Peter and William priests, Bernard the staller, Alan, Eustace and many others.

CHARTER VI. (Meaburn).

Mauld de Morville's Inheritance.

Omnibus Sancte matris Ecclesie filiis ad quos presens scriptum pervenerit Ivo de Veteri Ponte salutem. Noverit universitas vesta me caritatis et pietatis intuitu et pro salute anime mee at animarum omnium antecessorum et successorum meorum concessisse et dedisse et presenti carta mea confirmasse Deo et pauperibus hospitalis Sancti Petri Eboraci totam illam terram in territorio de Mebrun ab inferiore capite de Wndecotgile usque ad sicham que est in superiore ejus capite et ita in longum juxta predictam sicham versus Austrum usque ad foveam juxta puplicam

To all sons of Holy Mother Church to whom the present writing shall come Ivo de Veteriponte, greeting. Know all of you that guided by charity and piety and for the safety of my soul and of the souls of all my ancestors and successors, I have granted and given and by my present charter have confirmed to God and the poor men of the hospital of St. Peter of York all that land in the part belonging to Meaburn which stretches from the lower head of Windecotgil to the sike which is in its higher head, and reaches alongside of the aforesaid sike towards the south as far as the pit by the

stratam que vadit ab Appellby usque Tibbay et ita juxta eandem puplicam stratam versus occidentem usque ad divisam de Crosseby et exinde usque ad divisam de Askeby et usque ad Keldeheved et exinde versus orientem inter divisas de Mebrun et Askeby usque ad molendinum et usque ad terram quam antea dederam in elemosinam predicto hospitali, tenendam scilicet et habendam et colendam totam predictam terram cum suis pertinentiis predictis pauperibus in puram et perpetuam elemosinam liberam solutam et quietam ab omni seculari servitio et exactione sicut aliqua elemosina liberius et melius dari potest. Ego autem et heredes mei totam predictam terram predictis pauperibus warrantizabimus acquietabimus et defendemus in omnibus et contra omnes homines in perpetuum, ut ego et omnes antecessores et successores mei simus participes omnium benefactorum que fient in predicta domo Dei in perpetuum. Testibus Thoma filio Johannis tunc Vicecomite de Appelby Johanne de Ormeshevede Willelmo de Morvilla Ada persona de Askeby Thoma de Hastinges Ricardo de Camera Waltero senescallo Gilberto coco Ada Langestirape and multis aliis.

public way which goes from Appleby to Tebay, and then alongside the same public way towards the west as far as the bounds of Asby reaching to Keldhead, and thence towards the east along the boundary of Meburn and Asby as far as the mill and the land which I had aforetime given in alms to the aforesaid hospital; to be held and tilled, the whole of the said land with its belongings, by the aforesaid poor men, in pure and perpetual alms, in free tenure, and as quit and released from all secular service and exaction, as any alms could be given. And I and my heirs will warrant, acquit (of service) and defend the aforesaid land, to the aforesaid poor men in all things against all men for ever; that I and my ancestors and successors may participate in all the good which shall be done in the aforesaid house of God for ever: as witness these, Thomas son of John, then sheriff of Appleby, John de Ormside, William de Morville, Adam parson of Asby, Thomas de Hastings, Richard de Camera, Walter the seneschal, Gilbert the cook, Adam Langstirape, and many others.

CHARTER VII. (Crosby Ravenesworth).

Sciant omnes presentes et futuri quod ego Thomas de Hastinghes caritatis et pietatis

Know all living and all to be that I Thomas de Hastinghes guided by charity and piety for

intuitu pro salute anime mee et animarum antecessorum meorum dedi et concessi et hac presenti carta (mea) confirmavi Deo et pauperibus Hospitalis Sti Petri Eboraci turbam et briweram cum communa de Crossebi ad estoveria sua et ad sustentationem grangie eorundem de Garthorn et ad cariandum extra feodum de Crossebi usque ad grangiam de Garthorn quantum eis ibidem necesse fuerit sine venditione et donatione; tenendum et habendum predictis pauperibus in puram et perpetuam elemosinam, libere integre et quiete ab omni servicio et exactione seculari sicut aliqua elemosina liberius et melius teneri et haberi potest. Ego autem et heredes mei predictam turbam et predictam briweram cum omnibus prenominatis, predictis pauperibus warrantizabimus adquietabimus et defendemus in omnibus contra omnes homines in perpetuum. In hujus autem rei robur et testimonium huic scripto sigillum meum apposui. His testibus Gilberto de Kyrketon tunc vice comite de Appelby Thoma filio Johannis Henrico de Suleby Matheo de Rademan Philippo de Hastinghes Waltero de Stirkeland Alexandro de Wyndesoures Willelmo de Morvill Ricardo de Preston Alano le Buteiler Ricardo de Camera Rolando de Crosseby Waltero de Mebrun and multis aliis.

the safety of my soul and that of my ancestors have given and granted and by this my present charter have confirmed to God and the poor brethren of the hospital of St. Peter of York peat and heather with common of Crosby for their fires and for keeping up their grange of Garthorn, and for carrying outside the fee of Crosby to their grange of Garthorn of as much as they have need there and not for sale or bestowal: to be held and had by the aforesaid poor brethren in pure and perpetual alms freely and in full and as quit of all secular service and exaction as any alms can be held. And I and my heirs will warrant the aforesaid peat and heather together with all the aforesaid belongings to the aforesaid poor brethren and will acquit and defend them against all men for all time. In establishing and attestation of which I have affixed my seal to this writing; as witness these: Gilbert de Kirketon then sheriff of Appleby, Thomas son of John, Henry de Suleby, Mathew de Rademan, Philip de Hastinghes, Walter de Stirkeland, Alexander de Wyndesoures, William de Morvill, Richard de Preston, Alan le Butiler, Richard de Camera, Roland de Crosby, Walter de Meaburn, and many others.

de Veteripont (Vieuxpont).

ROBERT, d. 1085.

ROBERT = MAUD DE CUVEVILLE.

WILLIAM = MAHALD (MAULD) DE MORVILLE, sister of Hugh, lord of Westmorland and Knaresborough.

FULK.

IVO.

ROBERT, d. 1231 = IDONEA DE BUSLI. lord of Appleby, hereditary sheriff of Westmorland.

(1) ISABEL DE LANCASTER = d. before 1226.

IVO d. 1239. = (2) SYBIL.

JOHN = SIBILLA DE FERRERS. under age in 1231, d. 1240 or 1241.

CHRISTIANA = THOMAS of Greystoke, fil. Wil., fil. Ralf.

ROBERT, d. s.p. male before 1277.

LAWRENCE = EDA, living 1277-8.

NICHOLAS = ——

JOAN, lady of half Meaburn Mauld.

JANIA = ALAN DE RICHEMOND.

ROBERT = (1) ISABEL, f. Geoffrey = (2) IDONEA. d. 1261.

ISABEL = ROGER DE CLIFFORD

IDONEA = ROGER DE LEYBURNE.

ROBERT.

ROBERT = —— lord of Alston, d. before 1291.

WILLIAM, felo 1296, pardoned.

THOMAS, Bishop of Carlisle, 1255-8.

WILLIAM.

SIMON.

NICHOLAS = —— d. 1314.

MARGARET = ROBERT, heiress of Hucmanby and Midelscough. 14 at father's death, d. 1371.

NICHOLAS = ELENA, dau. of Robert Daubeny, d. 1362.

WILLIAM, s.p. male.

JOHN = ——

THOMAS DE BLENCOW = ELIZABETH, 24 in 1370. ?

JOAN = WILLIAM DE WHITLAW. 21 in 1370. ?

co-heiresses of Johnby and Kesclyff.

ROBERT, d. 1369, æt. 18, s.p.

—— ?

or

[——] (1) = WILLIAM DE STAPILTON = (2) MARY = (2) NICHOLAS = (1) —— (3) THOMAS BETHAM. son or grandson.

WILLIAM DE STAPILTON = MARGARET, heiress of Alston Moor.

WILLIAM HILTON = JOAN = RICHARD MUSGRAVE.

MARIOTA = THOMAS MUSGRAVE.

TO FACE P. 320.

ART. XIX.—*Mauld's Meaburn, and le Fraunceys and de Hastings.* By the Rev. FREDERICK W. RAGG, M.A., F.R.Hist.S.

ON Nov. 18th, 1256 (41 Henry III.), the king granted the right of free warren—that is, the right to have preserves of game—to John le Fraunceys "the King's clerk" in all the demesne lands which he was holding in Westmorland and Cumberland, provided that they were not in the king's forest. Of this John le Fraunceys, son of Hugh le Fraunceys, there is more to tell which belongs to a separate paper on Newby and the de Vernon family. Here I need only say that he was one of the barons of the Exchequer and that he had succeeded in gaining possessions in several counties. He had received in 1240 or 1241 a grant of Mauld's Meaburn from Robert de Veteripont, son of Ivo, to be held under him, as already mentioned in the de Veteripont paper. This, as we learn from Curia Regis Roll 141, 14 d was held by Robert himself under the de Bailiol family, and Robert's grant made him mesne lord between the de Bailiols and John le Fraunceys, who claimed release from the service to the de Bailiols which he said Robert de Veteripont ought to pay. John claimed exemption from the same service to the Bailiols also in the case of two other manors granted to him by Robert, Florlisworth* in Leicestershire, and a moiety of "Souerby in Farnes in Galewayth." †

* It is possibly Frowlesworth.

† The problems raised by this place name have needed some consideration. Soureby in Furness was in possession of the Abbey from early times. Souerby in Galewayth might naturally in a Scotch document that had no reference to any English county be represented by Sorbie in Wigtown county. But the question about the services to the Bailiols, between John le Fraunceys and Robert de Veteripont was taken to an Assize Court of the English King,

In Easter 1243 (Curia Regis Roll 125, m. 2) came a complaint from John le Fraunceys that Robert de Veteripont

in which cases that belonged to lands north of Solway, Cheviot and Tweed did not come, though cases concerning possessions of the Scottish Kings in English counties did. Had they come into such courts in earlier days, of which I think there is no evidence, it would be out of the question after the subjugation of Galloway by Alexander II. in 1235. The Assize Roll in which the case is entered (1046, m. 23, of 35–6 Henry III.—1251) is a record of Assizes held at York. The membranes of the first two-thirds of the roll have not in the margin the names of the counties in which the holdings lay: the last one-third has, as was usual in all later rolls. This last third has many pleas from Westmorland, Cumberland and Northumberland, and none of further north. Silvester de Everdon, Bishop of Carlisle (1247–1255) was one of the justices before whom the case came, and one of the attorneys chosen by John le Fraunceys to represent him was Robert de Santon, who must have been a Cumberland man. The only Souerby given in the two inquisitiones post mortem of Gilbert le Fraunceys, son of John, is Souerby in Cumberland, Inq. C., Edward I., File 18 (9), C., Edward I., File 33 (8) (1278 and 1281). In these inquisitions the Bailiol service is shown as still remaining for Meaburn Maud, though it is not mentioned for Sowerby, the name of Robert de Vallibus of Caterlyn, evidently the mesne lord, being given. The holding in Souerby was le Neueland (Newlands in Castle Sowerby). The manor of Castle Sowerby we know from other records was one of those given to the Scottish Kings in lieu of other claims and possessions in English counties, and it would be from Scottish records that we might learn who from time to time held it immediately under the Scottish Kings. But though the advowson, in this exchange between the kings, was to remain in the gift of English King, John Bailiol presented a rector in 1293 (Bishop John de Halton's Registers). Therefore the Bailiol connection was evidently kept up. We have thus a Veteripont, a Bailiol and a le Fraunceys connection with Meaburn Maud, as well as with Castle Sowerby, though with the latter the Veteripont connection has to be inferred, for there seems no record of it except in the Assize Roll. And since we must seek for the right Souerby south of the Solway, Castle Sowerby, which has so much that fulfils the conditions, seems the right one to fix upon.

But it has also to be borne in mind that in the Assize Rolls there is plenty of evidence to show that a wrong description or title of a place in which a claim was made was as fatal to the claim as a wrongly given personal name. I have met with plenty of these cases. I gave one in these *Transactions*, vol. ix., p. 262, where a plea about Helton Flechan was lost by the name being given as Helton Morville, though held at the time by the Morville family. Here I will only mention that Bertin de Joneby lost a case by having his application made out as for Bertram de Joneby. He pleaded that Bertram was the name in which he was baptized, but in vain. He had been entered in other pleas as Bertin and to win he must continue action in that name. Instances such as these show that neither plaintiff nor defendant could leave description of a claim to a clerk. And if a plaintiff lost his case he was mulcted for making a false claim. It was essential then that description should be be clear enough to be indisputable.

Now in all the cases of which I have seen records wherein John le Fraunceys, Baron of the Exchequer, was concerned, just as in those in which Hugh de Louther, Attorney General, was concerned, and in all the deeds drawn up for either, and altogether these are not exactly few, what I could not but be struck by was the careful attention paid to such particulars as prevented legal failure. This case was perhaps the reason why they succeeded so well and laid the foundation of great possessions,—John le Fraunceys of the Vernons, and Hugh de Louther of the Lonsdales. And hence I conclude that the description of Sowerby must have been such as would satisfy a law court of the times of Henry III., but how, we must wait for further light to see, for the entry is clear "de medietate manerii de Souerby in Farnes in Galewayth," and there is no possibility of even reading it "inter Farnes et Galewayth."

had come with other men armed while he was away in the service of the king at the Exchequer and had forcibly ejected John's men, had driven away his beasts and trampled down his crops to the damage of £40. Robert denied that he had done anything to break the peace, said that he had made no intrusion, but came simply for hospitality and stayed peacefully without doing any damage to John or his men. Apparently the sheriff, to whose court the matter was brought, did not feel satisfied with the defence, and a day was appointed for the trial. Robert then shifted the blame on to Gilbert de Kirketon during whose shrievalty the incident had happened, saying that if there was intrusion it was through him. Gilbert de Kirketon was to appear before the Bishop of Carlisle to answer, and meanwhile John was to have full seisin of his lands. From all this we can get an idea what it was all about. John owed homage and a pound of cummin for the manor, and possibly one or other "service" had not been performed, and illegal entry had been made by Robert for the delayed service. In the same Curia Regis Roll (m. 23) is the acknowledgment of Robert given to the charter of grant but no more is recorded of the trial.

Somewhere about the same time a case was brought by John le Fraunceys against Joan de Veteripont (Curia Regis Roll 128, Easter 1243) claiming the custody of the lands of William de Pinkeney, and that of the heir, of which he said she was unjustly depriving him. This case he won and he had another against Joan for occupying land in the moiety of Meaburn Mauld which was his. She denied the charge and was to appear and produce the charter on which her claim was founded at the summer Court, and in the Trinity Term that summer it was that the charter of Ivo already given,* was produced by her, and an agreement come to between the litigants.

* P. 277.

In 1277-8 Lawrence de Veteripont brought an assize of mort d'ancestor against Gilbert le Fraunceys, son of John, claiming that he had wrongfully entered on possession of one messuage, 97 acres of land and 20 acres of meadow, and the moiety of a mill in Maulds Meaburn, but the case could not be proceeded with, the roll tells us, (Assize Roll, 1239, 6 Edward I.) because Gilbert had died. Then in 1288 (Assize Roll, 1277) the case came on again, about the same tenements exactly, but brought on this time by Robert de Veteripont, described as son and heir of Lawrence, and claimed on the ground that Joan, his aunt, possessed them. In this trial a charter granted by Robert himself was produced, this namely :

Omnibus hoc scriptum &c. Robertus filius et heres Laurentii de Veteriponte salutem in domino.

Noveritis me remisisse et omnino quietum clamasse pro me et heredibus meis domino Ricardo le Fraunceys et heredibus suis vel suis assignatis totum jus et clameum quod habui vel aliquo modo potui (habere) in manerio de Meburn Mald cum pertinentiis vel in aliqua parte ejusdem manerii. Ita tamen quod nec ego nec heredes mei nec aliquis nomine nostro aliquid juris vel clamei in predicto manerio vel in aliqua parte ejusdem manerii cum pertinentiis de cetero exigere vel vendicare poterimus. Et pro hac autem remissione et quietum clamatione predictus Ricardus dedit mihi quandam summam pecunie pre manibus. In cujus

To all who see or hear this writing Robert son and heir of Lawrence de Veteripont greeting in the Lord.

Know ye that I have remitted and entirely quitclaimed for me and my heirs to Sir Richard le Fraunceys and his heirs or his assigns the whole right and claim which I had or in any way could have in the manor of Meaburn Mauld with its belongings or in any part of the same manor. So that neither I nor my heirs nor any one in our name can for the future have or seek for any right or claim in any part of the same manor with its belongings. And for this remission and quitclaim the aforesaid Richard gave to me into my hands a certain sum of money. In attestation of which I have placed my seal to this writing.

testimonium isti scripto sigillum meum apposui. His testibus Henrico de Staveley Roberto de Yavenewith Johanne de Rosegil Michaele de Harcla Waltero de Mulcastra Thoma de Neuton Johanne de Terrlby militibus : Roberto de Morvyle Hugone de Louthir Roberto de Warthewyk Roberto de Crokelyn et Johanne de Helton. Datum apud Wynandeswath die Mercurii proximo post festum Assumptionis beate Marie Virginis anno regni regis Edwardi 16 (1288).

As witness these : Henry de Staveley Robert de Yavenewith John de Rosegil Michael de Harcla Walter de Mulcastre Thomas de Neuton John de Terrlby, knights ; Robert de Morvyle Hugh de Louthir Robert de Warthewyk Robert de Crokelyn and John de Helton. Dated at Wynandeswath Monday before the feast of the Assumption of the blessed Mary the Virgin (Aug. 9) 16 Edward (I.) (1288).

Robert de Veteripont agreed that this was his charter and the manor passed to Richard le Fraunceys, who became thus the feoffee directly under the Baliol family and the homage and 1 lb. of cummin were the services to that family for it, returned as the conditions of tenure in the Inquisitio post mortem.

Before all this had taken place, however, and in the lifetime of the first le Fraunceys owner, had begun some signs of trouble—perhaps they were of jealousy. In 1259 (Curia Regis Roll, 162) John le Fraunceys brings a charge against William de Neuby for forcibly cutting down his wood at Newby. William chose not to appear to answer and had to be summoned a second time. Almost at the same time Thomas de Hastings was charged with breaking into the free warren of John le Fraunceys in Meaburn and capturing his beasts and carrying them away. How the case ended we are not told, nor have I discovered any more trials—though there is room for more discovery—till 1286, when an event happened which gave rise to much investigation and contributed towards the punishment of one of the justices of Edward I.

We will follow the presentment of the jury given in Assize Roll, 988 (20 Edward I.).

On Whit Sunday in 1236, according to that presentment, Richard le Fraunceys, of Meaburn Mauld, sent William de Harcla, John le Fraunceys, Walter de Caldebek, Richard de Foderingeye, of Kirk Oswald, Robert, son of Alexander, Skot, the page, Geoffrey de Wastdale, William, son of Philip of Meaburn "Mawt," and Adam, brother of William, William de Arlaston, who had since died, and Robert de Appleby to Crosby Ravensworth. There they found Nicholas de Hastings standing outside the gates of the manor house (his brother's, Thomas de Hastings) leaning on his bow, and they attacked him. John le Fraunceys struck him with a staff and pushed him in the breast and by pressing against him with his horse thrust him into a ditch. Seeing this, William de Harcla leapt at him with his sword drawn intending to run it into him, but the sword fell from his hand and so he failed. While this was going on John le Fraunceys bade Robert de Appleby shoot him with an arrow, and Robert did as he was asked and shot him in the breast and Nicholas very quickly died. Then Robert de Appleby, John le Fraunceys, William de Harcla, and all the others went away together, and in a body returned towards the manor house of Meaburn Mauld. At once the villagers of Crosby followed them with hue and cry and with intent to arrest and seize the felon—Robert who shot the arrow. But John le Fraunceys and William de Harcla and the others drove them back and by use of weapons rescued Robert de Appleby and took him away into the manor house of Richard le Fraunceys at Meaburn Maud, shut the gates after them and allowed no one to go in. Thereon came Alice, wife of Nicholas de Hastings, the slain man, together with a great number of the people of the countryside wishing to arrest the felons. She climbed on to a wall and raised hue and

cry against them and sought to obtain entrance for the people with her that they might arrest them, but those inside the manor prevented anyone from gaining ingress and kept the slaughterer with them all the time from mid day until night and then let him get away safely, Richard le Fraunceys himself being there and knowing of the felony which Robert had committed. Because of the crime Robert had been proclaimed as outlaw but he had no chattels to be seized. The jury said also that it was discovered by means of the Coroner's Roll that Alice, widow of Nicholas de Hastings, charged Robert in the Court of the County with the death of her husband and that at her prosecution he was outlawed in the County Court. It was also shown in the Coroner's Roll that Alice had charged in the County Court William de Harcla with aiding and with violence, John le Fraunceys with directing Robert de Appleby to shoot, and Richard le Fraunceys with sending the men to Crosby with intent of making assault, and with harbouring them after the event. Walter de Caldebek, Richard de Foderingeye and the others she had charged with consenting and aiding, and she continued to prosecute till the appeal of the prosecution came before Ralf de Hengham (in King's Bench). But Alice did not appear in that court to continue the prosecution, and her default caused the acquittal of William de Harcla, John le Fraunceys, Richard le Fraunceys and all the others so far as that appeal went; and Alice and her pledges for the prosecution were at the mercy of the Court.

But the justices in eyre did not feel the result convincing.* And they ordered the sheriff to arrest these

* Et quia non constat Justiciariis hic de processu istius appelli preceptum est vicecomiti quod capiat predictos Willelmum, &c.: "hic" is of course here, in Westmorland. After much dubitation I have come to the conclusion that the meaning of this difficult point is that which I have given. The expression has to be interpreted in a way which agrees with the whole texture of the presentment. And it also seems clear from what follows that acquittal through the default of the prosecutor not appearing was not felt to be the same thing as being found not guilty by jury after evidence given.

men if they could be found within his province. He testified that they could all be found except Richard de Foderingeye of Kirk Oswald, and Skot, the page, who had withdrawn themselves and were thus guilty of misdemeanour. It was agreed therefore that they should be outlawed. The chattels of Richard de Foderingeye were valued at £4 9s. 10d., and for this amount Michael de Harcla, sheriff of Cumberland, would be answerable; and Skot had no chattels to be forfeited. William de Harcla, John le Fraunceys and Richard le Fraunceys, being summoned before the justices, came to answer to the charge. And being questioned as to what defence they had to make against the arraignment of aiding in the murder and of rescuing the murderer, answered that they had been acquitted by jury before Ralf de Hengham and his fellow justices. But putting aside the advantage gained by that acquittal they stated that they were clergy and ought not to be called upon to answer in that court. But William de Harcla "saving to himself the benefit of clergy" denied the whole charge and asked for trial before jury. Richard le Fraunceys produced, though he thought it unnecessary (*ex habundantia protulit*) letters testimonial of ordination by "the venerable father the lord Bishop of Coventry and Lichfield" to the effect that, 20 years before, he had been ordained to first tonsure by sacred imposition of hands at Lichfield. And then came Thomas de Coppla, dean of Westmorland, and John de Reygate, vicar of Morland, the bishop's attorneys, into court and claimed them as clergy, but wished to have the verdict of a jury to give the reason why they were delivered over to them. The jury stated on oath that William de Harcla was guilty of violence and aiding in the murder and also of rescuing Robert de Appleby the murderer, and that John le Fraunceys was guilty of violence and aiding in the murder and also of directing Robert de Appleby to

shoot, and of rescuing Robert; that Richard le Fraunceys was guilty of harbouring the felon, knowing of the felony, and also of harbouring William de Harcla and John le Fraunceys. For these reasons they would be handed over to the bishop's officials. William de Harcla's chattels were valued at 42s. for which the sheriff* would be responsible; those of John le Fraunceys at £41 7s. 2d., for £41 os. 6d. of which the sheriff would be responsible, and John of Carlisle for 6s. 8d. But it appeared that John of Carlisle had seized the chattels without waiting for a warrant and he was therefore at the mercy of the Court. The chattels of Richard le Fraunceys in Westmorland were valued at £96 13s. 2d.; for which the sheriff was to be responsible: in Derbyshire at £53 19s. 6d., for which the sheriff of Derby was to answer; in Staffordshire at £10 7s. 7½d. for which the sheriff of Stafford was to answer; in Buckinghamshire at £15 6s. 1½d., for which the sheriff of Buckingham was to answer.

The others who were summoned, namely, Robert, son of Alexander, Adam, son of Philip of Meaburn Mauld, and his brother William, Geoffrey de Wastdale, and Walter de Caudebek also came. And being asked what they had to say in defence against the charge of violence, and of aiding in the murder, and of rescuing the murderer, and of the breach of the peace, asked to be tried before a jury. This was allowed. And the jury stated on oath that Robert, son of Alexander, was not guilty of anything in the matter, as he was not present. Indeed during the whole day of the felony he was in a tavern at Meaburn Maud and did not go outside it, therefore he was acquitted. Adam, son of Philip, and William, his brother, and Geoffrey de Wastdale, and Walter de Caldebek, admitted that they were all present when Robert slew Nicholas with the arrow, but

* *i.e.* of Westmorland.

denied doing anything wrong. They said that they came away at the same time that Robert de Appleby left, but without any intent or purpose of wrong, and followed the others but at two furlongs' length, and then went home. So far as the felony was concerned therefore they were acquitted. But because they were present and did nothing to arrest the felon and did not pursue him nor hinder his escape, therefore they were to be taken in charge. They were afterwards released by fine: Geoffrey de Wastdale of half a mark, with Robert de Cemum (?) of Heppe and Robert de Langebergh as his sureties: Adam, son of Philip of Meaburn Mauld of 5s., with John le Fraunceys of Cliburne as surety; William, his brother of 40d., with John le Fraunceys of Cliburne also as surety; Walter de Caudebek for 20s., with Bertin de Joneby as surety. The jury stated also that William de Harcla had been harboured at the house of Michael de Harcla, his father, after the felony, and John le Fraunceys by Adam le Fraunceys, both of them knowing of the crime. The sheriff was therefore bidden to bring them up to answer. They came and stated that they were clergy and ought not to be called on to answer in that court. And thereupon came the attorneys of the bishop of Carlisle with letters, &c., and claimed them as clergy, but wished enquiry to be made by a jury why they were to be handed over to them. The jury gave as their verdict that Adam le Fraunceys * was not guilty of harbouring John le Fraunceys; he was therefore discharged; and that Michael de Harcla did not receive William de Harcla into his house till more than eighteen months after the felony: that William had appeared in court before Ralf de Hengham, and that the court under him kept the matter waiting for three days and no prosecutor appeared, so that he was

* He was incumbent of Asby.

released: and it was after this that Michael de Harcla received him, supposing him to be acquitted.

Why after this Michael was to be in charge is a point I do not grasp, but the presentment of the jury goes on to say that he paid a fine to be respited from prison, and that Hugh de Multon, Thomas de Derwentwater, John de Rossgill, Robert le Engleis, Richard de Preston, and William de Stirkeland consented to be his sureties and to have him appear when wanted.

But at this point there seems repetition or confusion in the report as given by the Assize Roll, and it is difficult to judge exactly what was the real order of events. It is quite possible that Michael de Harcla, and Adam le Fraunceys were already in detention when they were brought before the court, and that this fine was a payment to be released.

Another little incident recorded at this point which may have further light thrown on it by some other record, is that Hugh de Multon came and paid for an arrangement (*fecit finem*) for him to have the chattels of Richard de Foderinghay for £4 16s., and John de Staffol and Peter le Parker, Robert de Grey, and Peter, son of Gilbert, were his sureties. The goods of an outlawed person it would seem were sold for what could be got for them. Hugh de Multon was not a sheriff at the time.

But other proceedings had been going on. Amice and Isabel and Christiana, sisters of the slaughtered man, charged John le Fraunceys of Meaburn Mauld, and Robert le Joefne, who must have been the Robert, son of Alexander, of the jury's presentment, also of Meaburn Mauld in the court of the borough of Appleby with the death of Nicholas de Hastings at Crosby; and tried to prosecute at two or three meetings of the court and then desisted. There must have been some confusion between the courts of the county and the courts of the borough,

which both were held at Appleby, and Crosby in the roll in the description of the proceedings at the borough court is oddly described as "*in forinseco comitatus*"; which does not mean that it was outside of Westmorland but outside of the jurisdiction belonging to the borough. And because it was outside those bounds and John of Carlisle and William de Berewys the coroners had allowed the case to be brought in at the borough court, and not only did not cause the sureties of these sisters to be fined because they did not appear after the last writ to prosecute, but had kept John le Fraunceys and Robert le Joefne in prison till the king's writ released them; and again afterwards in consequence of the arraignment of Adam Spring, who was under age, arrested and imprisoned them, it was considered that these coroners should be tried for having neglected the fines of the sureties; and that the matter of the liberty of the borough should be brought into question, the jury testifying that that there was no warrant for the procedure.

The de Hastings family were vigorous in prosecuting, it is clear; and if the unfortunate widow did not succeed in reaching the Coram Rege Court (of King's Bench) it was perhaps by no fault of hers. Distances and roads presented some difficulties in those days. The actual murderer had been punished and two of the less responsible of the band, but the instigators and those chiefly in fault were so far hardly touched: and the kindred of Nicholas de Hastings did not let matters rest. When the king after his return from Gascony was making investigations into the conduct of his justices during the time he was away, about which many complaints reached him, appeal to him was made by Thomas de Goldington and his wife Amice, a sister of the slaughtered man. Through this appeal we learn more particulars, though there is some variation in the tale, and it is not easy to make all particulars fit exactly into their places; but

in spite of its being somewhat a reiteration it is all interesting.

From Assize Roll, 541 b, a roll containing an account of the proceedings in Pleas held at Westminster before Peter de Leicester and his co-justices appointed to listen to complaints about the justices, we learn that Nicholas de Stapleton had been ordered through king's mandate by Ralf de Hengham to have an inquisition about the case in Westmorland. This would seem to have been after the appeal in King's Bench, where the case failed for lack of prosecutors presenting themselves. He was to obtain a verdict by a jury of men of loyalty and probity who were not related to the accused nor connected with them. But Nicholas de Stapleton, so says the appeal, conducted the Inquisition secretly at Newcastle-on-Tyne "60 leagues away from the place of the felony," and outside the county of Westmorland, and he was induced to do this by Michael de Harcla, whose daughter Richard le Fraunceys had married, and by Adam le Fraunceys, rector of Asby; moreover the jury was composed of relatives and connexions of the accused, and the friends of the murdered man had had no notice given them of the trial, and therefore could not challenge the jury who gave a verdict for the defendants. And after this John le Fraunceys, the man most concerned in the murder, had brought an action against Amice and her brothers and sisters before Ralf de Hengham for false prosecution. And Amice complained that this was to her damage to the amount of £200.

Nicholas de Stapleton was represented by attorney, who stated that after the appeal of the prosecutors was quashed in the court held by Ralf de Hengham, the King's Council had ordered that to make it more convenient for the jury who lived so far away, Nicholas de Stapleton was to go to the neighbourhood of Crosby and there hold Inquisition; and that on his way there

Nicholas was taken ill and could not continue his journey, and this was why he held the Inquisition at Newcastle, which he did in right and due form. Amice replied to this that when Nicholas de Stapleton held the said Inquisition at Newcastle he was perfectly well and had nothing the matter with him, and that he held it there because he had received 10 marks at Newcastle through Michael de Harcla, and she persisted that he had not sent notice of the Inquisition to those who were prosecuting and that she was ready to prove this in whatever way the Court was ready to hear and by the record of the proceedings of the justices.

This record she produced, and it was to this effect. Adam Springe of Crosby arraigned John, son of William le Fraunceys, William de Harcla, Walter de Caldebek, Richard le Fraunceys of Meaburn Mauld, Thomas le Stedman, Richard the cleric of Foderingeye, Robert le Jovene, Thomas Slaver, and Robert, son of Lucy, for the murder of Nicholas de Hastings his cousin. Here one notices that some of the names of the men charged are quite different from those that appear in Assize Roll, 988. The two named Thomas are absent from that list, Robert le Jovene described as of Meaburn Mauld elsewhere must be Robert, son of Alexander. Robert, son of Lucy, is a fresh name. Richard le Fraunceys he included in the charge but not as being present at the time of the murder. These all he said, except Richard le Fraunceys, were implicated in the assault on his cousin at the time when Robert de Appleby—who had been outlawed at Adam Springe's prosecution—committed the murder. Nicholas the slain man, he said, was in the peace of God and the peace of the king * on the Sunday after St. Dunstan, 1286 (May 19th) and

* This I take to mean that he had been to the service in the church at Crosby and had received absolution and was quietly going to his mother's house.

about noon was going to the house of his mother Christiana in Crosby when the men assaulted him, and Robert shot him over a dyke hitting him under the left breast to the heart,* and John le Fraunceys and the others (except Richard le Fraunceys) blocked the ways to Nicholas, holding their bows in hand ready to shoot. so that although he might have escaped the shot of Robert, had he been unhindered from getting clear through their combined assault and aiding of the murderer, he was unable to do so. And this he was ready to prove to the Court in the way in which one under age was able, or according as the King's Court was ready to allow it. Richard le Fraunceys he charged with assent and design and harbouring the felons.

To this John, son of William le Fraunceys, and the rest gave answer that they denied being partakers in the murder or in breaking the king's peace, and they asked for the decision of the Court whether since Nicholas had two brothers Thomas and William de Hastings nearer in blood than Adam, they could rightly be required to answer Adam's charge, besides that Adam was under age and could not be prosecuted if his charge was false. They said also that Alice widow of Nicholas had arraigned them in the court of the county, and that the result of that was pending, and they asked for judgement whether while this was pending they ought to be required to answer Adam Springe. To these objections Adam Springe had nothing to answer. Then John le Fraunceys and the others being asked on what ground they sought acquittal from the king's prosecution, answered that reserving their rights as clergy they placed themselves on the verdict of a jury of the country. This course was agreed to and by special grace of the king the justices were to hold inquisition as before. Then came forward

* The opening of the appeal states that Nicholas was struck in the right breast.

Hugh de Multon, Michael de Harcla, Adam le Fraunceys, Robert de Hereford, Thomas de Fisseburne. Hugh de Lowther, William de Rypperley, John de Haverington, Nicholas de Clyburn, Humphrey de Melkinthorp, William de Melkinthorp, William de Querton, Simon de Melsamby, and Thomas de Eggesclive as sureties for the defendants to produce them under penalty of £100 in the Michaelmas term for the assize.

And then at the assize of the morrow of St. Michael at Newcastle-on-Tyne before Nicholas de Stapleton, the defendants John, son of William le Fraunceys, and the others appeared, and the jury summoned also came; these were Roger de Burton, Richard de Preston, John de Rossegill, Robert le Engleys, William de Wyndesore, Gilbert de Brunolveshevede, Robert de Morvill, Richard de Musegrave, Roland de Thornburgh, John Mauchel, Robert de Lancastre, Walter de Teyl, Thomas de Helton, William de Crakenthorp, and Alan le Buteler. These gave as their verdict that a certain Robert de Appleby killed the aforesaid Nicholas de Hastings on Whit Sunday in the fourteenth year of the king's reign after mid day in the manor of Crosby Ravenswart, in consequence of long standing enmity between them and that no one except Robert was guilty of the murder. The jury were asked whether John, son of William le Fraunceys, William de Hartecla, Walter de Caldebek, Thomas (le) Stedman, Richard de Foderingesey, Robert le Juvene, Thomas Slaver, and Robert, son of Lucy, tried to stop the felon so that Nicholas by their attempt to do this might have been saved. They answered distinctly that no such aid had been given to Nicholas by the defendants. They were next asked whether Richard le Fraunceys ever harboured Robert de Appleby after the felony and answered openly that he did not, therefore it was agreed that Richard le Fraunceys and the others defendants should be acquitted as far as that arraignment was con-

cerned. And the jury was asked by whose abetting the malicious arraignment had been made and prosecution carried on, stated that Thomas de Hastings, brother of Nicholas, Thomas, son of William de Goldington, and Amice, his wife, William de Goldington, and Christiana wife of John de Goldington "attetunhead" (at the town head) of Crosby had abetted Adam Springe in his action; the sheriff was ordered accordingly to bring them before the Court at the next Hilary term.

Such was the record of the proceedings produced, and such the accusation.

And Nicholas de Stapleton in answer stated that he never took the ten marks nor any other sum from the accused nor their friends, and that he should like to have this thing enquired into by jury. And Amice likewise asked to have enquiry made by juries of Cumberland and Northumberland (as well as Westmorland): and this was allowed because the prosecution was the king's. The sheriff of Northumberland was ordered to get together for the next Michaelmas a sufficiency of knights and others to certify whether the jury aforesaid were in any way related to the accused or connected with them, and to ascertain whether there was any other cause for supposing the verdict they had given to be unjust and whether the accused were guilty or not guilty of the various charges and whether Nicholas de Stapleton did take any bribe to hold the inquisition outside the county, and whether the action of Thomas de Goldington and his wife was malicious or was not. The sheriffs of Westmorland and Cumberland were also ordered to summon juries to make inquisition in the same Michaelmas term.

On the day appointed Thomas and Amice were represented by their attorney, but the sheriff of Northumberland had done nothing and had not returned the writ. He was therefore at the mercy of the court and was

ordered to have the jury present within fifteen days of St. Hilary, and a writ to the coroners of the county was issued to cause him to be present. In Westmorland the jury did not come, the sheriff of Westmorland was therefore ordered to distrain and have them in attendance in the Hilary term. The jury in Cumberland also defaulted, and they were to be distrained and summoned for the Hilary term.

In the Hilary term at Newcastle, the jury summoned by Nicholas de Stapelton, whose verdict had been questioned, were present to answer to the investigation, except Robert de Morevile who was dead, Roland de Thornburgh, William de Tyle, and Richard de Preston. But proceedings were stopped by a writ from the king to this effect :—

Edward by God's grace King &c. to all to whom these presents letters come greeting. Know ye that by reason of an arrangement to forfeit 300 marks which Nicholas de Stapelton has made with us ; of which amount he will pay 100 marks within 15 days of next St. Martin's day and 100 within 15 days of Easter next, and 100 in the Michaelmas following, we have exonerated and pardoned the said Nicholas for all cause of action which we had against him because of any trespass which he was said to have committed against us during the whole term of office his until Monday the feast of St. Michael in Monte Tumba (16 Oct.) in the 18th year of our reign (1290), this being understood that he is to appear to answer any future charge against him. In attestation whereof &c. Witness ourself at Kings Clipston (Notts) 15 October in the 18th year of our reign.

Therefore the defendant jury were told that they were free to go without any day being fixed for them to come again to answer, and Thomas and Amice de Hastings were told that they were to await the king's pleasure for any further, &c.

Thus Nicholas was punished certainly, but what was to compensate the de Hastings family for their costs of

prosecution and for the expense of rebutting the charge of having brought false accusation, nothing shows.

Two inquisitions were held in order to ascertain the characters of Richard le Fraunceys and William de Harcla and their reputation in the county. They were made by the same jury on the same day, and the verdicts given were the same. The only difference is in the names of the two men, and that in William de Harcla's case the king's writ ordering the inquisition, his goods and chattels are described as under sequestration, not his land and chattels. The one form (Criminal Inquisition, Edward I., Chancery File 8, 18) will suffice to give the substance of both.

Edward by God's grace King &c. to the Sheriff of Westmorland and his coroners of the said County greeting. The venerable father J(ohn), Bishop of Carlisle, by his letters patent has sent us this supplication: that whereas Richard le Fraunceys, clerk, in our Court in the last eyre before our justices in the said County being handed over to the Bishop because of privilege of clergy charged with being guilty of the death of Nicholas de Hastings has lawfully proved himself innocent, we should cause to be restored to him his land and chattels sequestrated in consequence of the charge: we wishing to have certain knowledge of the common repute and way of living of the aforesaid Richard, charge you to have diligent inquisition made into his true character and to ascertain whether he is a notorious and public evildoer or not, and to send to us without delay distinctly and clearly and under your seals the verdict of the jury. And return this writ.

Inquisition held at Appleby on Monday before the Nativity of St. John the Baptist 21 Edw. I. (June 22 1293) by Robert le Engleys, John de Rossegyll John de Helton Henry de Warthecopp William de Crakenthorp Gilbert de Querton William de Windeshover John de Rybles Alan le Botyller Alan Warde de Keldelyth Walter de Tyle (Tylya) and Adam de Soureby about the reputation and conduct of Richard le Fraunceis and as to whether he is a notorious and public evildoer or not; who say on their oath that the aforesaid Richard is of good repute and faithful way of life and that he is not a public nor notorious evildoer and never was.

Another item of interest in connexion was that Michael de Harcla was summoned in 1292 to answer the executors of the will of Gilbert le Fraunceys,—Adam le Fraunceys, clerk, Robert le Sauvage, clerk, John le Fraunceys, senior, and John le Fraunceys, brother of the said John, why he did not pay a debt of £120 which he owed the deceased. Michael claimed that he was doing no injustice, for John le Fraunceys, who was an executor, was not in court against him but was in prison for felony, and as he was convicted of that he had no claims against anyone. Robert de Meburn appeared for John le Fraunceys and said that the aforesaid John le Fraunceys, senior, on the first day of the eyre appointed him attorney in the case, and that at that time he was at large and had not been convicted; hence he and the other executors could not admit the exception taken by Michael; and besides the action of the executors was not one taken on the behalf of executors themselves, but for the goods of the deceased, and as John le Fraunceys was co-executor with the others there was no bar, for he was not claiming anything for John le Fraunceys but only for the execution of the will of the deceased. The Court settled that the case was to be heard at Carlisle in the Octave of St. Martin, and the record to be kept in King's Bench.

The history of these trials seems to me to show legal procedure feeling its way towards maturity in administration of true justice: administration of justice conceived in a loftier sense than as mere legal enforcement to obey enactments which may be hastily drawn up, faulty, and unjust though framed with good intentions. Proceedings were cumbrous, delays wearisome, attempts to ascertain fact clumsy, but there is evident determination through the whole process to have right done and wrong chastised. Excepting the delinquent justices, who were made to suffer, Edward's ministers of justice

did not rest till they were satisfied as far as possible that neither prosecutor nor defendant were unjustly dealt with. The spirit of English law in its young development and the spirit of their king were in them. And his control was that of a lawgiver by instinct, who would punish any of his ministers that did wrong , and was determined to secure within his realm order and just dealing.

My best thanks are chiefly due to Mr. E. Salisbury, and to Mr. C. S. Ratcliff, of the Public Record Office, for valuable help, and special thanks would also have been offered to Lieut.-Colonel William Hugh Parkin, through whose kindness it was that I was able to see Alston and its surroundings. But grateful thoughts to him can now be only mingled with regrets for his loss, and with memories that are dear.

NOTE I.

The following is additional to the "de Lancaster" paper in Vol. X. It is a copy (which I did not discover till after that volume was published) of a transcript, made I think in the 16th century, of an early deed relating to a moiety of the manor of Sockbridge, and is amongst the Lowther documents. The grant in it is by the son of Norman de Redman who was a witness to the grant by William de Lancaster to Gilbert of the moiety of Sockbridge mentioned in the de Lancaster paper. On the partition of Sockbridge and the parallel contemporary partition of Levens between one of the family of Redman and one of a family of Uchtred, see "The Redmans of Yorkshire," by Col. John Parker, C.B., F.S.A., in *Yorkshire Archæological Journal*, Vol. xxi., pp. 81-2.

Sciant tam presentes quam futuri quod ego Henricus filius Normani de Readman dedi et concessi et hac mea presenti charta confirmavi Gilberto de Lancaster totam meam dimidietatem ville de Sokebred cum omnibus pertinentiis suis pro homagio et servitio suo, illi et heredibus suis, tenendam de me et heredibus meis in feodo et hereditate, libere et quiete, in bosco et plano in viis et semitis, in pratis et pasturis et in omnibus locis: reddendum inde per annum quendam calcaria mihi et heredibus meis pro omni servitio, salvo forinseco servitio. His testibus &c.

Know those living and those to be that I, Henry son of Norman de Readman, have given and granted and by this my present charter have confirmed to Gilbert de Lancaster the whole of my moiety of the vill of Sokebred with all its belongings, for his homage and service: for him and his heirs to hold of me and my heirs in fee and hereditary right, freely and undisturbedly, in woodland and cleared land, in roads and paths, in meadow and grazing lands, and in all its parts—he giving therefrom yearly (a pair of) spurs to me and my heirs for all service except forinsec service. As witness these &c.

NOTE II.

To Mrs. T. H. Hodgson's kindness I am indebted for the two following items:—Robert, Archdeacon of Carlisle who was witness to Charter IV. (Crosby) pp. 312–315, was Archdeacon between 1156 and 1180 (see p. 93): and John de Capella witness to Charter V. (Meaburn) p. 318, was one of the de Hutton family (see p. 26).

ART. XX.—*Cotton Iulius F. VI. Notes on Reginald Bainbrigg of Appleby, on William Camden and on some Roman Inscriptions.* By Professor F. HAVERFIELD, M.A., LL.D., D.Litt., V.P.S.A., etc.

COTTON IULIUS F. VI. is the press-mark of a manuscript volume in the British Museum, which—as its title implies—once belonged to Sir Robert Cotton, the friend of Camden and of many Elizabethan and Jacobean antiquaries. Its contents are a miscellaneous mass of historical and antiquarian papers, notes, and extracts, written in the later part of the sixteenth and the beginning of the seventeenth centuries. Some of them are in Camden's hand ; many of them plainly belonged to him ; almost all seem earlier than his death in 1623 and, so far as I have noticed, only one, dated 1640, is later than Cotton's death in 1631. In the main, therefore, they are Camden's papers ; I imagine that they passed to Cotton with other such papers after Camden's death and under the provisions of his will. We need not be surprised if one or two alien items have since got bound up with them.

I propose here to deal with only one section of this manuscript, in which are recorded some sixty-three Roman inscriptions and various other antiquities and curiosities, chiefly from northern Britain and indeed especially from the counties of Westmorland and Cumberland.[1] A few of these records are notes and jottings in Camden's own hand ; others are communications sent to him by various identifiable friends, while a few, of which the writers are

(1) Fo. 292–353 and 426–428, *olim* 279–334 and 405–406. The MS. has been paginated three times. I cite the latest numbering and add—with the prefix *olim*—an older one, which was used by Huebner.

not at present identifiable, seem to be of precisely the same character. Here we have to do with Camden's collections and not, as Professor Huebner thought, with those of Cotton.

I.

These papers are valuable in two distinct ways. In the first place they enable us, far better than any other available evidence, to get behind Camden's printed page and to trace some of his sources and check his treatment of them. In a book like the *Britannia* it was naturally impossible for the author to state minutely whence he had derived each item and whether he had followed closely the account sent him or had interpreted it freely. These papers let us into the secret. They shew that, besides his printed sources and the results of his own researches and travels through England, Camden was helped by many local correspondents who from time to time sent him word of antiquities or even corrected statements in his published works. They shew also that he interpreted some of these communications very freely. When he was not satisfied with them, he emended conjecturally and then, without warning his readers, he printed his own conjectures. The method sounds unscrupulous. But Camden worked under peculiar conditions. His material was enormous alike in its amount and in the variety of its subjects. It came, too, from sources which varied enormously in value and much of it concerned districts remote from Camden's home in London. If an account of an inscription sounded wrong, Camden could not " run down " to Carlisle or Newcastle to see for himself ; he could not even write to the north and get quick replies, and if a correspondent seemed in error, it was hard for him (it is not always easy to-day) to find someone else both willing and competent to verify the detail. He was almost compelled to substitute at-

tractive guesses for dubious-looking facts. No doubt he should have given warning of this. But his space was narrow; frequent doubts would have bewildered or wearied his readers, and perhaps he had a human belief in his own guesses. But if we can find excuses for his procedure, we have none the less to check his conjectures. This we can do with the aid of Cotton Iulius F. VI.—with the result, as will appear below, that we gain truer versions of certain Roman inscriptions than we have in Camden's printed pages or in any subsequent writer.

II.

A second and more local interest attaches to the section of manuscript with which I am dealing. Many of its items were sent to Camden by the earliest Westmorland antiquary whose name is known. Reginald Bainbrigg was born at Hilton, four miles east of Appleby, about 1545, that is, five or six years before Camden. The place is attested by his will—made 2nd May, 1606, and proved 17th September, 1613—in which he describes himself as "Hiltoniae natus," while the date is given by an inscription which he set up in 1602 and in which he is said to be "AET. S. 57."[2] It may be noted in passing that a Christopher Bainbrigg was born at Hilton about a century earlier, who was Provost of Queen's College, Oxford, in 1495 and subsequently a Cardinal at Rome and important enough to be poisoned there in 1514. Whether our Bainbrigg was in any way related to him, I must leave others to discover.

If we now pass on from birth to education, we find a

(2) I have had to discuss Bainbrigg's life rather fully as the current accounts (for example, in the *Dictionary of National Biography*) are bad, and though I have not solved all the puzzles, I hope I have left them easier for some one else. Besides other help acknowledged below, I have had much assistance from the Rev. A. J. Heelis of Brougham and Mr. G. H. Heelis of Appleby. The inscription mentioned in the text is still at Appleby in the Broadclose wall; a copy of it is printed in Gough's *Camden* (ed. 1806) iii. 140; see also MS. Gough gen. top. 36, fo. 139 in the Bodleian Library.

great difference of opinion among the few who have written on Bainbrigg. Cooper in his *Athenae Cantabrigienses* and the author of the article in the *Dictionary of National Biography* call him a sizar of Peterhouse, Cambridge. It appears that a student whose surname is consistently spelt Bambrick or Banbricke (or the like) and whose christian name is unknown, came up to Peterhouse in January 1572–3 as a sizar, matriculated in June, 1573, and took his B.A. degree in 1576.[3] But we have no evidence to connect him with our Bainbrigg, and indeed a sizar would hardly have then matriculated as old as 27 or 28 years of age. I incline to identify our Bainbrigg with the Reginald Bainbrigg who (according to the Oxford University Registers) came up to Queen's College from Westmorland, matriculated in 1572 at the age of 24, was afterwards Taberdar—that is, Junior Foundationer—of the college, and took his B.A. in July, 1576, and his M.A. in July, 1579.[4] It is true that the age does not exactly fit the age indicated by the inscription of 1602. But the close connexion of Queen's College with Cumberland and Westmorland, which began long before Bainbrigg's birth, supports the idea and it seems to be the current view of Westmorland antiquaries, though I have failed to discover their reasons for it.[5]

In any case, Bainbrigg came back to Appleby in 1580[6]

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(3) The Master of Peterhouse, Mr. H. J. Edwards, Fellow of the College, and the Rev. Dr. Walker, Librarian, have verified these details for me.

(4) See Foster's *Alumni Oxonienses*, s.v. and Addenda, and Clarke's edition of the *Oxford Registers* (Oxford Hist. Soc., xi., 54, xii., 61). I had hoped to get more light from the Queen's College records, but the Provost (Dr. Magrath) assures me that they throw no light on the matter.

(5) Mr. Heelis tells me that in a list of Appleby headmasters, made about 1878 by an Appleby antiquary, the late Mr. C. B. Norcliffe (Robinson), Bainbrigg is assigned to Queen's College. This is probably the source of the statement to the same effect by the late Rev. J. Heelis in these *Transactions*, viii. (1886), p. 407. But whence Mr. Norcliffe got it, I cannot ascertain. Bainbrigg's books, now at Appleby, have been searched for me, but they contain no inscriptions indicating that Bainbrigg was at any university at all, nor do their bindings seem to bear the characteristic pattern of most Oxford bindings of that date.

(6) This date is given both by the inscription of 1602, and by a license to teach grammar granted to Bainbrigg in that year.

as headmaster of Appleby Grammar School, and probably as first headmaster of the reconstituted Elizabethan foundation. Here he worked till his death in 1606.[7] Camden calls him an excellent headmaster, and we can see that he cared greatly for the school and left his mark on it for good. He enlarged its buildings, bequeathed it his books and houses and land in Appleby and, as we shall find below (fo. 336, etc.), he was eager to get it—and himself—named in the *Britannia*. The larger part of his books is still at the school and with them a rough list made in 1656 and containing some three hundred titles—mostly but by no means wholly editions of classical authors; several are medical works. I trust that it may prove possible some day to print a catalogue of these books, as a specimen of an Elizabethan scholar's library in a remote corner of England.

Bainbrigg was not wholly absorbed in his school. Obviously an energetic, enthusiastic, eager man, he found time for a keen interest in archaeology. It is likely, though direct proof is lacking, that this interest was first awakened by Camden's *Britannia*. That work does not occur in the list of his books nor is there any copy now in the collection at Appleby. But the notes printed below shew that he had read the editions of it issued in 1590 and 1594, while his archaeological enquiries were apparently pursued about 1599 and after. Of these enquiries his own words give an admirable account. I need here only point out the salient features. He was eager enough to make, in 1599 and 1601, two journeys along the line of the Roman Wall and even into Redesdale and North Tynedale—journeys not to be taken in those years without real risk

(7) Wood in his *Athenæ Oxonienses* (ed. Bliss, 1815, ii., 858) notes that on 25th March, 1606, Ric. Senhouse—afterwards Bishop of Carlisle—was admitted to the living of Bumsted Steeple in Essex (then in gift of the Crown), vacant by death of Reginald Baynbrigg. I suppose this is a mere coincidence, especially as our Bainbrigg was apparently a layman and died later in 1606 than March 25th. But it is curious to find two Cumbrian names thus side by side at this moment.

from brigands and thieves, such as deterred Camden in 1599 from visiting Housesteads.[8] He also kept active watch for antiquities in his own neighbourhood. He even formed a collection of inscribed stones—in part originals but mostly copies—which he arranged in his house and garden at Appleby, and shewed with pride to visitors. After his death this collection was ill cared for. In 1722 an assistant-master at the school, one I. Hayton, catalogued twelve Roman stones, besides some others (such as the inscription of 1602 noticed above) which were neither original Roman stones nor copies of Roman stones but *jeux d'esprit* of Bainbrigg's own devising. Seven or eight years later, Horsley saw only eight. To-day there are (as Mr. Counsell, headmaster of the school tells me) six of Bainbrigg's *jeux d'esprit*, four Roman stones (originals or copies) and seven which are too illegible to read, preserved in the Broadclose and at the Schoolhouse. Much of the neglect which has befallen the stones seems due to the fact that they are mostly copies. Nevertheless they are interesting examples of the lively interest felt by the Elizabethans for English national antiquities. They are memorials of the mind of a great age.[9]

This activity brought Bainbrigg into touch with contemporary scholars. Some were neighbours, like the historian John Denton of Cardew, and the Rev. Oswald Dykes. Others were tourists, like two Germans, Crispin Gericke and Servaz Reichel, who visited north Britain about 1602–4, perhaps together, and copied not a few Roman inscriptions: I have said something below about these interesting wanderers (fo. 351). In particular, he became acquainted with Camden. Whether the two men ever met is not clear, but I think they did not. Certainly

(8) See below, fo. 330, 344. Whether Bainbrigg himself ever reached Housesteads is not clear: probably he did.

(9) For Hayton's list see Gough's papers in the Bodleian, MSS. gen. top. 36 and 128. Bainbrigg seems to speak at least twice (fo. 352, 358, below) of having actual Roman originals.

Bainbrigg tells us that he missed Camden and Cotton when they came north in 1599, and I cannot find evidence that Camden was ever in Cumberland before or after that visit.[10] It is clear however that Bainbrigg was a devoted admirer of Camden, and clear too that he sent him much useful northern information, both epigraphic and other. He was not, indeed, an expert epigraphist, as some of his remarks printed below reveal. But he was a scholar with some knowledge of Roman history and literature and he wrote a respectable if not very racy Latin. He is an interesting figure out of a bygone age, when classical teachers in England did not ignore their national antiquities. In his humbler way, he is a fitting counterpart to his great contemporary, who issued the first four editions of the *Britannia* while successively usher and headmaster of Westminster.

III.

Despite its interest Cotton Iulius F. VI. has been generally ignored by students. It was known to Richard Gough, but he paid little heed to it. The first to examine it systematically was Professor Emil Huebner, editor of the British volume of the *Corpus Inscriptionum*, vol. vii., published in 1873.[11] He saw that it was important and printed extracts from it. But he did not wholly understand it, and he erred particularly in determining the authorship of its various notes. Thus, he ascribed certain items, amongst them pieces written in Camden's own hand, to the Scottish antiquary Sibbald, whose work fell just a hundred years after Camden. Such an error is not only serious in itself; it also blurs the whole value of the notes as contemporary evidence of Camden's methods.

(10) See fo. 345, and my note on fo. 339 for the date 1599, which is usually given as 1600. Camden was on his mother's side a Curwen of Workington, but he does not seem to have had other than archæological relations with Cumberland. He was also headmaster of Westminster (1592–7), but this again does not seem to have influenced his relations with Bainbrigg.

(11) *Corpus*, vii., pp. 7, 73. Both passages contain errors.

How Huebner came to make it I cannot imagine, for Sibbald's handwriting bears no resemblance to Camden's. Since Huebner, hardly anyone has studied the manuscript, as far as I am aware. In fact, the only recent reference to it that I have noticed is in the last volume of these *Transactions*.[12]

There is plainly room for a fresh examination of the manuscript, and while it would be superfluous to print the notes in full, a partial publication may be useful. I have therefore, in the first place, printed Bainbrigg's own papers, some *verbatim* and some in abstract. They will, I think, form a contribution to the history of Cumbrian archaeology; they may also conduce to a better appreciation of Camden and his methods, and they supply a correcter version of certain Roman inscriptions than we had before. In doing this, I have taken account of another Bainbrigg paper in the British Museum, MS. Lansdowne 121, fo. 160–4. This is not—as Bainbrigg's biographer in the *Dictionary of National Biography* asserts—"an inscription on the Picts' Wall," but is identical with the account given in Cotton Iulius of Bainbrigg's tour in 1599 (below, fo. 339–346). Secondly, I have added in an appendix a list of all the other notes on Roman inscriptions in Cotton Iulius, F. VI., with such identifications of authorship as I could get, and here I have included a few not very important items in MS. Cotton Iulius, F. X., which seem to be waifs from the main body of Camden's epigraphic notes in F. VI. I should add that I have omitted throughout my extracts from F. VI. certain historical notes couched in Latin, which prove that Bainbrigg knew some Roman history but are otherwise as superfluous to us as they must have seemed to Camden.

I have to express my gratitude to Mr. Collingwood and to Chancellor Prescott for help in dealing with certain

(12) New Series, x., 504.

details, and to my friend Dr. Kenyon, now Chief Librarian and Director of the British Museum, for help given in time past in identifying items in the manuscript. I have also to thank Dr. W. K. Dickson, Keeper of the Advocates' Library at Edinburgh, for a photograph of Sibbald's handwriting. The copying of the MS. Cotton Iulius has been done for me by Miss M. R. Manfield : I have revised the larger part of it myself.

I refer to the *Corpus Inscriptionum Latinarum*, vol. vii. and to Bruce's *Lapidarium Septentrionale* by the abbreviations C. and LS., followed by the number of the inscription in question. All other abbreviations will, I hope, explain themselves. Apart from the reference to the MS.—" fo. 305, *olim* 290 " or whatever else it may in each case be—all the text that follows is Bainbrigg's own, unless it is between square brackets. Paragraphs between such brackets are either abridgments of Bainbrigg or comments of my own.

Fo. 305, *olim* 290. This inscription was in a stone found at Papcastle and now made a font stone at Bridekirk. It is curyouslie wrought with faire and gallant pictures. I send it you [*i.e.* Camden] for the barbarouse straingnes of the characters. I think them to be either the Arabians or the Syrians letters before Esdras. [A slightly incorrect facsimile of the runes follows. This, the earliest notice of the stone, is the source of the notice in Camden's *Britannia*, ed. 1607, p. 632, where Bainbrigg's facsimile is reproduced].

Fo. 306–316, *olim* 291–299. [Notes from correspondents other than Bainbrigg. See Appendix].

[TOUR OF 1601].

[*Fo.* 317-331, *olim* 300-313 seem to describe a tour commenced by Bainbrigg, 15th August, 1601 ; he followed the Roman Wall from Bowness to Birdoswald, visiting Netherby and Bewcastle on the way, passed on to Risingham and Rochester in Redesdale, and probably returned by the Tyne valley and Whitley Castle. This tour appears to be distinct from and subsequent to the similar tour recorded below in fo. 339 foll., which I think was undertaken in 1599].

Fo. 317, *olim* 300. At Bulnes

MARC·AVRELLIVS
IMPERA·TRIVMPH·
PERSA : ·

I began my jorney the xvth daie of August 1601 at the towne of Bulnes wher Mr. Lowther parson ther, a man of good learning, diggin to make a gardin, found two faire hewen stones, wrought with lawrell leaves, thone laid upon the other, in such sort, that the one inscription towched thother as tho they had embraced eche other. the underside of the uppermore stone had this inscription afore said, viz. Marcus Aurellius impera. Triumph. persa.

Upon the upperside of the lower stone was this faire inscription folowing, viz.

MARC·AVREL·
PHILO : ·

[This inscription is omitted from the Lapidarium. Huebner includes it among the milestones (C. 1191) and assigns it partly to Caracalla and partly to Elagabalus. But it is plain that decoration such as laurel leaves has no place on a milestone. Probably we have here two fragments of one large imperial slab, very badly recorded by Bainbrigg. The alternative would be to suppose that some modern admirer of the philosopher-emperor Marcus Aurelius had two inscriptions cut for his own pleasure or for the adornment of his garden and that these were then lost and dug up again. But all that could hardly have happened by so early a date as 1601].

Fo. 318, *olim* 301. Bulnes. DIVA AVGVSTA FAVSTINA.

Under the lower stone he found certaine peaces of monie to the number of xv or more, as brode as an old Queene Maryes grote, but thicker then six grotes. On the one side a woman in Roabes, with a garland on hir head, written about as is above said, viz. diva Augusta faustina. Upon the other side was a mounting eagle with this inscription, CONSECRATIO.

A faire paiment.

He found a faire payment, as might be, plowing in a little close besides the parsonage. the like was found in ther towne feildes.

Beginning of the picts wall.

The fundacions of the picts wall may be sene, upon the west

skar at a lowe water, covered with sand, a mile and more within the sea, wher the people gett fishe. under Bulnes in the sea westward are to be sene the rotes of manie okes, wiche shewes that the sea, since the first building of the picts wall, haith far altered hir course, as shalbe showen herafter.

A freshe spring within the sea.

Dyverse yeares they could get no freshe water at Bulnes. Mr. Lowther serching found a freshe spring far within the flode mark, when the floud was out and the spring purged, the people did deale the freshe water by dishfulls.

Okes found at Bulnes.

Ther haith bene found within Bulnes parishe in the mosses, an hundred okes and mo, a fadome deape lying all on the claie under the mosse, some 60 and some 90 fote without twist or bowe, a fine wood, no worme or mothe will touche it. They find thes tres with a long iron thrust into the grond. And if they lye in the edg of the mosses, then they find them in a sonner morning by the dewe, for ther will be no dewe on the earthe, wher suche tres do lie.

Fo. 319, *olim* 302. Netherbie [L.S. 770=C. 961].

IMP·CÆ·TRA
HADRIANO :
AVG
LEG·H̄AMCFEC·

I fond this inscription at netherbie at Walter Grame's house in a fare square stone set in the wall of his howse, xvi. Aug. 1601. undoutedlie this Legio Augusta secunda have laid here to defend the frontires, here are sene mightie great ruynes of huge buyldings. In this Hadryan's tyme Anno domini 120 were these thre Legions in the north, Legio Secunda Augusta, at netherbie, Legio sexta victrix at Burdoswald, and Legio vicessima victrix at Crawdundale, as may more plainlie appeare by ther severall inscriptions in thes places [C. 307]. Nummus Hadriani habet in aversa parte exercitus Britannicus per tres milites representatus, denotare indicas tres legiones tunc in Britannia egisse, scilicet, Secundam Augustam, Sextam victricem, et vicessimam victricem. Hec Secunda Augusta, ut hos optimos imperatores in his barbaris locis immortales redderet, hanc fecit.

De portu ad Netherbie.[13]

Certo certius portum hic Aesicae extitisse, quia latera navium, anchora et annuli ferrei quibus naves alligari soleant inveniuntur, sed propter aggestas arenarum moles, quae e mari diiciuntur, per aliquot milliaria mare longius excluditur, et portus, qui naves admittere soleat, iam obstructus est. Antiqua urbecula cadaver iacet. multa sunt in Brytannia oppida qua mari incubuerunt, nunc multis milliaribus a mari disiunguntur.

Fo. 320, *olim* 303. Castlesteades [C. 894=L.S. 449].

IV · · · · · ·
M · · · · · ·
CVPA · · · · ·
LEG · XX · G · PP · COH · II
TVNC POSVIT ·

[Marginal note by Camden *Cohors Tungrorum Borcovico*].

I found this imperfect inscription at Castlesteades, wiche was digged upp this last yeare [*i.e.* 1600] by a country man, that buylded a square howse neare unto that place ; he sunke deape into ruynes of this castle, wher he found faire and strong walls of hewen stone, among the wiche I saw the rarest worke that ever I saw in my liff : it was included after the maner of a quadrangle whithin fower hewen walls, about some iiij ells brode, it stode upon manie little arches wiche was blacke with fire, upon thes arches stode a vaut, and upon that a faire leavell plaice finelie plastered. I told the gentlemen that was ther present, that it was hypocaustum Romanum, I shewed your boke [Camden's *Britannia*] of the like at Hope castle in flintshire. And that this Leg xx had made them both. this stone with this inscription was found in this hypocausto. So then I conclude that this L E G · XX, called frome Wales into this countrie by some occasion, was the buylder of this hote howse as this inscription declares, in this country, as of that in Wales.

I found in an other broken stone in this hypocaustum an other imperfect inscription. the stone was curiouslie wrought. [C. 910 ; not in L.S.].

IE · · ·
TILIO · ·

(13) Camden throughout identified Netherby with Aesica and Bainbrigg follows him.

Scalby castrum olim Tilliolorum, qui olim clari in hoc tractu fuerunt [quoted from Camden's *Britannia*, ed. 1594, p. 604, ed. 1600, p. 707].

Scalby castle is hardby and therefore I think this was some monument of these Tillioli. [If so, it would not be Roman].

Fo. 321, *olim*, 304. Bewcastle. I had this monument at Beawcastle ; the stone lyes in the church. [The stone is C. 979=L.S., 737 ; it is not worth reprinting].

Crux quae est in caemiterio est viginti fere pedum, ex uno quadrato lapide graphice exciso cum hac inscriptione

DITIBOROX

Talem Edwardus primus in Alienorae coniugis memoriam posuit. Vel qualem Roisia mulier eo tempore celeberrima ad Roistone statuit. [In Bainbrigg's MS. DI is written with the I inside the D and TI with the I above the T.]

Fo. 322, 323, *olim* 305, 306, [are occupied by the notes of a German visitor to the north of England : see fo. 351 below, and Appendix].

Fo. 324, *olim* 307. At Burdoswald [C. 823=L.S. 353 : see below, fo. 341].

I·O·M·
COH·I·AEL·DAC·
TETRICIANORO·
C·PP·LVTIC
VS·DESIDE
RATVS
TRIB·

And other at Burdoswald [C. 844=L.S. 392, not worth reprinting].

An other [C. 808=L.S. 354, also not worth reprinting].

Fo. 325, *olim* 308, Rochester in Rhedesdaile [The inscription which follows, C. 1037=L.S. 551, need not be printed here ; Camden has added a marginal note *cuneus Armaturar Bremeturaco*, obviously suggested by the letters BREMEN in the third line. We now know that Rochester was Bremenium and that Bremetennacum with its cuneus was in Lancashire at Ribchester].

I found this inscription at Rochester in Rhedesdaile : it hath bene some strong fort against the enemie. it stands upon an hye mountaine, it is some fyve miles frome Rheadsquire and so manie myle frome Gamblespath eastward, this gamblespath was the Brytaines bound in the Romaines tyme, but now it is scottishe.

Hoc castrum certe exploratorum fuit, ita a Romanis dictum, quia eius situs est ad explorandum commodissimus, colle satis edito, unde circum vicina regio longe lateque circumspici possit.

I was eight daies in Tindale and Rhedesdale. I found nothing in Tindale worth the noting save the discription of north Tyne.

Tyne. North Tyne springeth at Readmoss. it taketh the name of Tyne at Bellkirk, next on the south side, it receyveth Blacopbeck. on the north side it receyveth Parleborne, frome the parle fell. on the north side againe it taketh both the kyldares. id est wolf kildare and whit kildare. On the south it taketh neadborn and Lewsborne, and so it runeth to shouldborn hawght, then it receyveth by south Belling, Hawcopp, Falstone, Kyrden and dalliecastle, on the north it haith Tarset castle, and Tarset water. encreased by thes waters it runeth south by haseleside to Bellingham, wher it receyveth Bellingham borne and so to Rheadmouth, wher it receyveth the Ryver of Rhead, so to Chippchess. To St. Osmonds, to Wall, it falleth into south Tyne at Hexam.

Rhead.

Rhead ryseth at Redsquire runneth by Burdoppcrag, Rochester trowg the (?) otterburne, eilsdon castle, monckrigg, and Resingham, and falls into north Tyne at Rheadsmouth a little frome Bellingham.

I went to the heads both of north Tyne and Rhead and did view all thes plaices afore rehearsed.

Fo. 326, *olim* 309. Risingham.

NVMIN · TB ·
AVGVSTOR · ☙
COH·iiii GAL·
☙ EQ· ☙
FEC· ☙

This inscription was worth the sight for fyne and cunning workmanshipp, Numinius [?] was engraven in stone in his cote armure with his sheild and target. an heron and libard head. [C. 1001 = L.S. 627. Camden has added a marginal note *cohors iiii Gallorum Vindolanae.* The inscription really has in the first line NVMINIB : the error made by Bainbrigg shews that he was no great epigraphist].

Risingham [C. 1017 = L.S. 612 ; I need not reprint. There follows an addition in Camden's hand, to this effect :] Risingham lieth uppon Read fl. : ther are great ruines. The people ther say

that the Soldan of Risingham did defend the God Magon. Wherby they seeme to allude to the God mentioned in thies stones.

DEO
MOGONT.CAD
ET.N.DN.AVG
AA.G.SEC'NDINVS
BF COS HABITA.
ICI PRIMAS TA
PRO SE ET SVIS POSVIT

DEO
MOVNO CAD.
INVENITVS DO
V.S.

[These are C. 996, 997, L.S. 603, 604. Huebner wrongly calls this note of Camden's "anonymous." Camden no doubt saw the stones when he himself visited Redesdale in 1599. In the shorter inscription the second N in line 3 is scored through as if wrong].

Fo. 327, *olim* 310. Risingham [C. 1007=L.S. 630; I need not reprint. Camden has added in the margin *forte Tungrorum*, not a happy guess].

Risingham [C. 1008=L.S. 632; I need not reprint].

Fo. 328, *olim* 311. Risingham [C. 985=L.S. 599; I need not reprint].

Risingham ut ex istis inscriptionibus constat. fol. 613

DEAE
DIANÆ SA
CRV·AEL·
TIMO·P·
V·S·T·L·M·

[C. 981, omitted in L.S. The reference "fol. 613" seems to be to Camden's *Britannia*, ed. 1594, but it is not very appropriate. A comparison of this copy of the inscription by Bainbrigg with the alleged dedication *deae Tertianae*, ascribed to Risingham by Camden (C. 999, L.S. 608) will shew that this latter is clearly a conjectural version by Camden of the text here printed. Orelli was therefore right in doubting its genuineness].

Fo. 329, *olim* 311 [Scrap of paper with writing in an unidentified hand, not Cotton's: see Appendix].

Fo. 330, *olim* 312. Chesters or busiegapp

PRO SALVTE
DESIDIIINIAE=
LIANI PRET ·
ET SVA SVOR ·
POSVIT · VOT ·
SOLVIT LIBRE·

Hec inscriptio habetur ad Chester in the wall, quod satis magnum oppidum fuisse ex ruinis apparet, et firmum Romanorum militum contra Barbaros praesidum facile iudicarim. vulgo vocatur Busiegapp. Est is locus infestus excursionibus, et frequentioribus latrociniis expositus ad praedandum. [The inscription is C. 769= L.S. 295. There is some doubt as to the findspot. Horsley, not without great hesitation, ascribed it to Chesterholm. Hodgson, arguing from the language of Camden, put it down to Carvoran, and so Bruce, who states that Camden came to know of this altar "at the same time and place" as an altar to the Syrian Goddess (L.S. 303=C. 758, fo. 345 below); Huebner has followed Bruce. In reality, neither attribution will do. Chesterholm, sometimes called "Chester in the wood," is pre-eminently a Chester which is not "in the wall." The arguments for Carvoran are equally bad. Bruce is wrong in stating that this stone and that of the Syrian Goddess came under the notice of Camden together, since Camden learnt of the Syrian Goddess in time to mention her altar in his fifth edition (1600, p. 719) while this stone first appears in his sixth edition (1607, p. 569). On the other hand, Camden's words (especially if read with Bainbrigg's, on which they are based) really suggest, as the findspot, Housesteads. In describing the Wall from Thirlwall eastwards, he first mentions Carvoran, which he had seen, but of which he says he did *not* know the Roman name, and notices the remains of Wall masonry on Thirlwall Nicks. Then he proceeds :—

Hinc obliquior progreditur murus per *Iuerton*, *Forsten*, et *Chester in the wall*, prope *Busy-gapp* praedationibus infamem, ubi castella fuisse accepimus (per praedones vero limitaneos perlustrare tuto non licuit), *Chester* autem illud valde magnum fuisse retulerunt, adeo ut stationem illam II Dalmatarum existimemus quae MAGNA in Notitia dicitur, ubi haec legitur inscriptio, PRO SALVTE etc. (ed. 1607, p. 659).

We clearly cannot think (despite the view of Hodgson) that Camden here meant to identify Carvoran with "Chester in the wall." Speed's and other early maps shew Iverton and Forsten south of the Wall, two or three miles west of Housesteads, and Busy Gap lies just east of it. "Chester in the wall" must therefore be another, perhaps older, term for Housesteads. We must however allow a margin of uncertainty in this conclusion. For about 1600 Housesteads lay still outside the civilized world. The English Border Watch, as detailed in the Leges Marchiarum (about 1552) guarded the Wall from Carrawburgh to Sewinshields, but there the line turned southwards, keeping to the hills nearer the South Tyne as far as Haltwhistle. Camden in 1599 did not risk

whitley castle

306 313

331

IMP· CAES·IVL - - - -

BECSADIA - -

MAX ET DV·ANTONI - -

SARM·NEP·DV ATOL·NEP·NRO

DIVI HADR·NEP·DVC·TRAIAN·

PARTH·ET DV·NERVÆ·ARNI·P·

MAVR·SILVR·NOMID·PO·

LING· - - - - - - - - -

PRO PIETATE AED·VO·SOLNE

COMMVNI CVRANTE

- - - - LEG·AVG· - - -

Cohors III Nervior. Alioni

COH·II·NERVIO=

RVM·GR·POS·

I found this faire, and large inscription at whitley castle in Alstenmore: it
haith bene a mightie, strongt, & large fortress, defended with a double trench
and walls, made by the romaines. The maiden waie comes directlie to it from
Caervorran, and so it goeth to maiden kirk, wiche is distant some half
mile from whitley castle, from thence it passeth over the wild mountaines
& then it falls into cumbreland at ladslack, goes by kirkland to whealopp
in kirbethore, & so to maiden castle upon staine more. I followed this maydenn
waie to all thes plaices, I noted this, that it is via militaris passing from
one great fortress to an other. Oia hunus Antiqua urbecula vestigia tempus
erasit, ut verum dicit sit, si usquam alibi, quod a poeta dicatur. Est seges, ubi
Troia fuit. vel. Oia rodit edax, vel fuit adamantina, tempus.
mors etiam saxis, marmoribusque venit.
... numismata hic saepius effoduntur. Hic puellarum templum indigenae mihi
ostenderunt, sed una cum tempore, ut tu loqueris, unnae etiam pariere.

MS. COTTON IULIUS F. VI. Fo. 331.

TO FACE p. 359.

a visit to Housesteads. Whether Bainbrigg avoided it is less clear. In his other tour (fo. 344) he seems to have missed out the Wall from Carvoran to Sewinshields, but the natural meaning meaning of his words here is that he went there, though perhaps it was a hurried visit. Bainbrigg's copy of this altar was sent by Cotton, who doubtless had it from Camden, to Gruter and appeared in Gruter's great work in 1603. But Cotton acquired the altar itself before long, and when Camden came to edit it in 1607, he thence obtained a fuller reading.]

Fo. 331, *olim* 313. Whitley Castle. [Inscription as on the collotype facsimile, C. 310=L.S. 741 ; the marginal note, *cohors iii Nerviorum Alione*, is in Camden's hand. Besides Bainbrigg's copy of this difficult inscription, of which the stone which once existed in Bainbrigg's Appleby museum (Hayton no. 8) and which Horsley saw, was merely a replica, we have a copy in a Bodleian manuscript (Smith 84, fo. 17), apparently in Camden's own hand. This may have been copied by Camden in his visit to the North in 1599 or 1600. It gives a better text than Bainbrigg, and adds a ninth line omitted by him. But it confirms the reading of COH·II· in the last line but one, instead of COH·III which Camden printed and later editors have accepted. This affects the garrison of Whitley Castle. The other references to a Third Cohort of Nervians at this fort are practically worthless, and in default of other evidence we must accept the Second Nervians as its garrison at least about A.D. 210. Why Camden altered the number, is clear from his marginal note, which is a quotation from the Notitia Dignitatum : he hoped to be able to locate Alione. In the fifth line from the end the true reading appears to have been the not uncommon formula *pro pietate ac devotione communi*].

I fond this faire and large inscription at Whitley castle in Alstenmore ; it haith bene a mightie, stronge and large fortress, defenced with a double trench and walls, made by the Romaines. The maiden waie comes directlie to it frome Caervorran, and so it goeth to maiden kirk wiche is distant some half mile from Whitley castle, frome thence it passeth over the wild mountaines and then it falls into cumbreland at ladslack, goes by kirkland to Whealopp in kirbethore, and so to maiden castle upon Staine more. I folowed this mayden waie to all thes plaices. I noted this, that it is via militaris passing frome one great fortress to an other. Omnia huius Antiquae urbeculae vestigia tempus erasit, ut verum omnino sit, si usquam alibi, quod a poeta dicatur,

' est seges ubi Troia fuit.' vel 'omnia rodit edax, vel sint adamantina tempus.

Mors etiam saxis, marmoribusque venit.'

numismata hic saepius effodiuntur. hoc puellarum templum indigenae mihi ostenderunt sed una cum tempore, ut tu loqueris, Ruinae etiam periere. [Here the tour of August, 1601 seems to end].

Fo. 332, *olim* 314. Applebie. [C. 1176=L.S. 815 ; Camden, ed. 1607, p. 627].

·IMP·
D·C·VAL·
CONSTA=
NTINO·
PIENT·
AVG·

Hec inscriptio inventa fuit Brovonaci xvi die martii 1602. a quodam Rustico lapis effoditur, quinque pedes infra cursum fl. Loderi et Eimoti quem multis meis et amicorum precibus tandem impetravi, Applebeiam transtuli, et in aedibus meis, quas inscriptionum causa, (multae nam hic visuntur), non parvis impendiis, modo in hortis construxi, nunc cernitur. poteris hunc locum, si placeat, notare, ubi haec inscriptio nunc exstat ; nihil mihi gratius accidere potest. Huc saepe numero, non infimae sortis homines commeant, ut istas antiquitates intueantur, inter hos communis noster amicus d. Oswaldus Dikes, qui me, haec, quantum queam, ut maturem admonuit. verisimile videtur, hunc Constantinum Brovonacum condidisse, quia plurima castella et munitiones contra Barbaros in his locis fundavit, sed Barbari, statim post obitum, oppida et castella eius expugnaverint. fol. 57 [of Camden's *Britannia*, ed. 1600].

Fo. 333, *olim* 315. Applebie. This stone was found in Whellep castle in Kirbethore and now sett in my new howse at Applebie [C. 294=L.S. 749. I need not reprint it. Bruce says that Camden saw this altar at Kirkby Thore. But this is wrong ; he got it from Bainbrigg].

Fo. 334, *olim* 316. Crawdundaile. [C. 307=L.S. p. 387].

CN . OCT . COT : COSSV .

Sepius mihi in mentem venerat, me nonnullas alias Rom : inscriptiones posse querendo investigare, si profundas illas quidem

valles et altas, arboribus consitas, rupes, quae sunt ad Crawdundailewaith, diligentius perlustrarem. Res peroportune cecidit. nam ecce, proxima rupes, quae est ad austrum, hanc mihi inscriptionem literis grandiusculis, valde antiquis et fugientibus subministravit. Haec Rupes est vicina illi rupi, quae habet inscriptionem de Varronio, quam ad te iampridem misi. Possis hanc, si ita tibi visum fuerit, cum illa de Varronio, coniungere. Hac, tempus, quo haec acta sunt, notari arbitror. [For the inscription of Varronius see below, fo. 337, dated 1600].

Fo. 335, *olim* 317. fons salsus in medio Vedrae.

Sunt ad Burterbie, iuxta Dunelmum, quaedam salsa saxa latentia in imo alveo fl. Vedrae. quæ semper fere, nisi aestatis siccate, aqua integuntur : idcirco hoc hieme minus apparet propter aquam Vedrae desuper fluentem. sed si quando flumen subsiderit ex quibusdam cavernulis per media ista saxa aquam salsam subrufam salientem videbis. quae calore solis, ut sal albescit, et induratur veramque salis imbibit qualitatem. Hunc indigenae salem colligunt et hoc cibum condiunt qui istius loci dominus est, voluit salinas constituisse et salem excoquere, ut ipse mihi retulit, sed illum ab incepto deterret ingens recentium aquarum impetus. Nos ambo hanc aquam per media saxa scaturientem quae erat salsissima gustavimus. quae vidi, scribo. marinam aquam ex mari quod non longe abest per canales, et subterraneos meatus perfluentem arbitror, aut nos remittemus ista naturae occultae, et fato.

fons fluens et refluens
in Westmorlandia

Ad Hardendaile in Westmorlandia non procul ab Hepp, vulgo shapp, oppidulo ubi quondam monasterium fuit, at nunc humi iacet, vocatur shapp abbey, fons est qui saepius in die, ut Euripus fluit ac refluit. Aqua subsidente, saxa, quae sunt in fonte, sicca et nuda relinquntur, non multo post surgente aqua, ista saxa alte aqua integuntur. Instabilitas et reciprocus motus idem hyeme, et aestate manet, aqua non crassa, non limosa, sed satis pura, et dulcis, pigra tamen et quieta. Causa latet ; faelix qui potuit rerum cognoscere causas. Talis fons est in Glamorgania ad Ogmor, quem discripsit J. Stradlin. Arbitror esse ductus aquarum alimodo deductarum in sublime salientium.

pyramides of stone.

Besides litle Salkeld, not far frome Crawdundailewaith, wher the Romaines have fought some great Battle, ther standes certaine monuments or pyramides of stone, placed ther in equal

lately visited Mr. Senhouse at Netherhall. Now Camden in the *Britannia* (ed. 1600, p. 694) mentions this visit as paid in 1599, and Bainbrigg's letter printed above (fo. 337) shews that Camden was in Cumberland in that year. On the other hand, Wood in his *Athenae Oxonienses* (ed. Bliss, ii., 342) puts the tour in the latter part of 1600 and Camden's biographers, Gibson and Gough, and the *Dictionary of National Biography*, follow him. Wood gives no reason for his date and, as there is no question of more than one visit, Camden's own statement is the stronger testimony. But these notes found no place—or practically none—in Camden's edition of 1600, though the letter of 27 March, 1600 (fo. 337) is used in it. If, then, the tour was made in 1599, Bainbrigg must have waited some time to send the notes to Camden.]

Fo. 339. Fforasmuche as you wrote unto me, that you would gladlie have had those inscriptions at Boulnes and Burdoswald, I thought good, for the furtherance of your immortall worke, to travaile thither. And ther to make, that diligent searche, for monuments left, that you shoulde not neade to trowble yourself anie more for the picts wall. I began my iorney at Boulnes, wher I fond nothing but a few englishe words without sense in a vault at the personage. from thence I folowed directlie the picts wall to Burg upon sands, and so on to Carlile wher I found this inscription in a stone fond in Stanwiggs feild nere unto the picts wall, this stone was caryed thence by one Mr. Agliombie to Carelile. inscriptio sic se habet. [C. 920=L.S. 480. Camden has it ed. 1600, p. 706, but apparently from another source].

I fond also this inscription at Carlile in a stone brought frome the picts wall by John Myddleton, and is set in his garden. [C. 916=L.S. 499, Camden, ed. 1600, p. 706 and 1607, p. 642].

Fo. 340, *olim* 321. The wall crosseth Eden at Carelile and goeth to Stanwiggs, wher ther stands a verie ancyent churche, but ruinous as commonlie, all the churches on the bourders are: frome thence it goeth to Blaytarne not far frome Scalbie castle wher I found this inscription in faire letters, this stone was laitelie digged up and put in a howse newlie buylded, CIPRISC: [C. 902; not in Lapidarium].

from Blaytarne the wall streatcheth to Leaverdaile: to Newton, to Cambbeck hill. To castle steades, ubi cadaver antiquae urbis ostenditur. And so to the wall towne; dyverse places on the wall, are called by this name. here I fond this imperfect inscription, the man had broken this stone and lay it in a paiment before his dore. Thus it was. [C. 909. Not in Lapidarium].

frome waltowne it bendeth within half a myle of lanercost,

wher all the monuments are utterlie gone and defaced save the tombe of L. humfrey Dacre. wiche died m.d. $\frac{xx}{iiijv}$ 30. maij [more correctly, 1485]. And Mabell Parr his wif. obiit 1509. 17. nov.

Ther is also painted this englishe ryme [for which compare these *Transactions*, o.s., xii., 312].

> Rowland vaux that laitlie was, the Lord of Tridermaine is dead, his bodie in lead, and low lyes under this stane.

This Tridermaine an old castle, having the vauxes armes set in a stone very ancient on the gaite howse, standeth a litle without the picts wall northward, on the water of King, wiche runneth into Irthing.

I forgot two things. the one is that Leaverdaile taketh his name of Leaver, a litle broke that begins at Christenburiecragg within Beawcastledaile and falls into Eske about two myles above Rocliff.

The other thing was, that I forgot that betwene castlesteads and walltowne stands Irthinton upon Irthing, ubi multa prisci castelli de multonis rudera cernuntur.

Fo. 341, *olim* 322. Frome Lanercost I folowed the wall all ruinated, till I came to Burdoswald, wiche doth seame to have bene some great towne by the great ruynes therof, the inhabitants did shew me the plaice wher the churche stode, the inscriptions ther are either worne out by tract of tyme, or by the clownnishe and rude inhabitants defaced. I found this inscription in a stone at Thomas Tweddaile's house, at Burdoswald.

I·O·M·
COH I AEL DAC·
TETRICIANORO
- - CPPLVTIC
- - VSDESIG
N A T V S
T R I B·

[C. 823=L.S. 353 : see above fo. 324. It first appears in Camden's ed. of 1607, p. 647, obviously from this copy. Some one (perhaps Camden) has added v̄ (=um) over the last o of line 3 and altered CPP into CPR in line 4 in Bainbrigg's MS.].

I had also at Burdoswald in a faire square stone in goodlie faire letters this inscription [C. 844=L.S. 395.—Camden has it first in his 1607 ed., p. 647].

This inscription, and the other at Carelile, and that inscription that I sent before do testifie that bothe Legio sexta victrix and vicessima victrix in Severus tyme were in the north parts. Ther were more inscription at Burdoswald, but so defaced and broken, that no letters could be decerned.

The wall frome Burdoswald crosseth Irthing to Weloford, wiche stands upon the picts wall. Wher I found thes inscriptions folowing, with dyverse others worn out, imperfect and to small purpose.

Fo. 342, *olim* 323. [C. 808=L.S. 354; Camden has it first in his 1607 ed., p. 647].

An other at Weloford in a colunbe or a great fower squared hewen stone. as commonlie all thes inscriptions are in fower squared stones of like quantitie and qualitie, wrought all alike to one forme, with flowers and battle axes. [C. 837=L.S. 368. Camden has it in 1600 and 1607 from another source].

Cotton Iulius.	*Lansdowne.*
PROSALVT·	PROSALVT
DN MX MAG	DNMXMAG
OR - - - -	ORT..MCAES
- - - - -	- - - AEDIF

This stone was all wryten on the one side but all the letters but thes was fretted awaie, that none could not knowe anie forme of anie letter, altho I toke great paine therwith having both men, to turne it wher I wold and Iron instruments made for the purpose wherbie I might have discerned the letters, by folowing ther characters, but nothing wold serve. I had a great desire to knowe what it should be.

Fo. 343, *olim* 324. If you would not laught, me thinks I could read this former inscription thus. 'pro salute domini nostri maximi magni orenius,' Your words are a reason why that I shoulde reade it thus. editione priori. fol. 667 [Camden's *Britannia*, ed. 1590].

I pray you wryt in one word what you think of this inscription wryten in a faire pillure at Weloford. [C. 813=L.S. 355; Camden ed. 1600, p. 708, 1607, p. 647].

I fond also this inscription folowing at thropp, in a stone gott at Burdoswald

I·O·M·
COHIAEL·
DAC·CORD·
ANAECPES1·

[C. 819=L.S. 352 ; Camden first in ed. 1607, p. 647. In the MS., someone, probably Camden, has altered Bainbrigg's CORD to GORDI in line 3, added RE between P and E in line 4, and converted the final I into T].

Fo. 344, *olim* 325. All thes inscriptions declare, Jovi optimo max. Cohors i Aelia Dacorum that this cohors have bene here at Burdoswald appointed by the Romaines to defend the marches, or frountiers against the ennimie.

Apud Camboglanam (inquis, folio 645 [ed. 1590]) ubi olim vigilias habuit Cohors prima Aelia Dacorum.[14] istae igitur inscriptiones te verissime de hac cohorte in tractatu de muro pictico dixisse testantur, et assertioni tuae probationem prestant apertissimam.

ffrome Weloford I folowed the wall to Thyrlewale Castle. wiche stands a litle without the picts wall towards Scottland upon the Ryver of Tippell wiche runneth by an ancient howse of the Blenkinsopps, called Blenkensoppes castle ; then it falleth into south Tyne at Bellaster.

About half a mile frome Thrylewale is Caervorran a huge ruynous buylding buylded fower square, conteyning frome one corner to an other some seavenscore pases. from thence goeth a streat called mayden way, wiche is paved with stones throught the mosses about some fortie myles in lenght, to mayden castle upon stainemore.

The picts wall a litle above Caervorran upon very hie stonie rocks standes a xi fote hie, and about ix fote brode. I fond this inscription at Caervorran in a stone gotten ther. [C. 751. Not in Camden or L.S.].

DO·
ERCL·

from Caervorran I went to Carrawe, to Suenshales castle, to Collerford, to Waltowne.[15] I was determyned to have gone to newcastle. but hearing of a stone at melkrigg a little of Haltwistle, I came back againe for that inscription. which is thus as foloweth.

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(14) Camden in his earlier editions used the form Camboglana : in 1600 he adopted the now usual spelling Amboglanna. It is not altogether certain that the former spelling, with initial C, is wrong.

(15) Bainbrigg seems to have deserted the wall from Carvoran to Sewinshields : for the reason see the note on fo. 330.

Fo. 345, *olim* 326.

MS. Cotton.	*MS. Lansdowne.*[16]
+ DEAE SVRL +	DEAESVRI
AE SVB CALP	AESVBCALP
VRNIOAC - - -	VRNIOAG
- - - - VALE - - -	
- - - - - LIC - - -	

[C. 758=L.S. 303 ; Camden ed. 1600, p. 719. He says that he copied it himself, presumably on his tour in 1599, at Melkrig, (that is, Melkridge, two miles east of Haltwhistle) and that it came from Chester in the wall (that is, Housesteads, see fo. 330), which he had not himself visited. This origin is not probable, as Housesteads is over four miles from Melkridge. A fuller text of the altar, preserved by Speed (1616), shews that it was dedicated by the commandant of a corps at one time posted at Carvoran. But Carvoran is even farther from Melkridge. Possibly the stone was set up away from the fort where the garrison was stationed].

haec inscriptio probat quod posuisti. folio 40. inquis. [ed. 1590] Britanni bellum ex bello serentes Res sub Antonino philosopho movere caeperunt, ad quas componendas missus est Calphurnius. And bycause I was on the waistes, I thought good to sett you downe the Ryvers that I saw ther, and first of Irthing.

Irthing ryseth in the waists at spiecragg runneth by Burdoswald, wher it receyveth Potrosse, that devideth Gillesland and Northumberland, it passeth betwene nawarthe castle, and Lanercost Abbey, so it goeth by Walton, castlesteeds, wher it declyneth frome the picts wall, to Irthington to newbie, runneth into Eden, at warrickbriggs. Liddall ryseth furthe of liddisdaile in Scottland, runneth by Mangerton, and so to Whitaught, two cheif howses of the armestrangs, goeth to Cressopp fote, wher it parteth england and Scottland, frome thence it passeth to mote score, wher it falleth into Esk.

Fo. 345. *dorso.*

Eske ryseth in esdaile in Scotland, and runneth by langholme a mansion house of L. Maxell, frome thence it goeth to mote

(16) Here MS. Lansdowne ends abruptly. It will be noted that its version of the inscription has the look of being an improvement on, and therefore later than, that of the Cotton MS. SVRL + is the text of a man who did not understand : SVRI, of one who had learnt (from Camden or otherwise) to read *Suriae.*

score in England, to the millees, to Kyrkanders, to Netherbie, the cheif howse of the Graimes, to medopp and so to the rosetres, then falleth into sea beneath Rocliff. This faire Ryver keapeth his name in both Realmes. Gelt out of geltdaile, it runneth into Irthing at Brampton park fote. When I had traveled the marches, the gillisland and thes Ryvers, enquiring of my frends for monuments and inscriptions, they told me that I should not faile to find good store at Whittley castle and lambeley nonnrye standing upon South Tyne. I went thither but I found nothing. the places were utterlie decayed. of south Tyne.

Tyne riseth at tyne boggs, sowthren men calls them quabbmyres, a quarter of a mile frome fawcragg. Within a litle it meateth with esgill, and so goeth on to garigill churche, to aymesaught to alstenmoore, to Whitley castle decayed, to Knaresdaill, wher it receyveth knare, to Lambley a nonnry, it haith bene a great nonrye, the churche is yet standing, the water of tyne haith wasshed away the faire buyldings, the monuments layes in the water. In the queare I found thre pikes or pickerels with dyverse crosses, and by that I did iudg that Lucye was the founder. frome thence tyne runneth to featherstone haule an ancient howse of the featherstones. to Byllester castle, haltwesell, wilmoteswick, langley an old decayed castle. A little above hexam both Tynes meets, frome hexam to newcastle, I think you have taken some notes therof, when you traveled that way the other yeare. Being at hexham, I could heare of no moe antiquities that waie. I returned back againe to carelile, and so to holme cultram, wher I was advertised that youe and Mr. Cotton had bene at Mr. Senos, [Senhouse of Netherhall] and moresbie, where within thes few daies since, is found an antiquitie in an altar stone now digged upp. I will go to it, and send it you, and all along the seaside. so then I thought my iorney was nedeles. from thence therfore I went to Mr. John denton of Cardew, with whome dyverse tymes I had bene verie earnest to further your work, being a man well reed in Antiquities in his owne contrie, as anie one man in the northe. I found that he had taken great paines.

Fo. 346, *olim* 327. To my comforth, and your credit, he haith wryt the antiquitie of Carelile holme cultram and of the most ancient townes in Cumberland, the petegre and armes of the ancyent gentlemen of that countrie, you will find it a rare and worthie peace of work, we could have wished that Cumberland had bene omitted in this last impression, till you had receyved thes his notes, he told me that he wold bring them to you this next terme, he dailie traveleth from plaice to place about this

busyness, till he havè finished it with credit, he goes by no hearesaies, but by ancient records, you will think your self most bound unto him. ego vero, quod potui, feci, superis sunt caetera curae. plura brevi exspectato. Interim deum opt. max. precor, ut quam diutissime vivas. vale.

Tuus ex animo

Reginaldus Bainbrigg.

[Here the account of the tour, which began on fo. 339, seems to end].

Fo. 347, *olim* 328 [sheet bearing eight inscriptions and two carved stones, drawn by an unidentified hand].

Fo. 348–349, *olim* 329–330. [Here Bainbrigg gives some genealogical matter. (1) *nobilis et antiqua familia Wilporum* from *antiquus liber de holmecultrum.* This "ancient book," as Chancellor Prescott has very kindly verified, is the Holmcultram Chartulary, of which the Dean and Chapter of Carlisle has a fourteenth century MS. A transcript of this has been made for the Society, which is in Tullie House and will in due course be published. It is therefore needless to print Bainbrigg's copies here. (2) *antiquissima familia Cospatricii* taken *ex antiquis scriptis de Wirkinton* and *ex libro de Holmecultram,* followed by notes on the Curwen family. (3) *Barones de Kandala.* (4) *Familia de Bruis.* I gather from Chancellor Prescott and Mr. Collingwood that all this matter has been fully worked over (to a great extent in these *Transactions*) with reference to the original documents, and it is not worth while to reprint Bainbrigg's notes. They illustrate however Bainbrigg's activity in Camden's cause, and I will quote one extract bearing on this].

Post datas ad te Rom. inscriptiones, statim Candaliam profectus, ut aliquid de vetustate illius castri de kendale e densissimis tenebris, si potuissem, in lucem eruerem. omnia abrasit vetustas. ad Levens in vetustissima scripta et numismata de improviso incidi. [These Levens MSS. were reported on by the Hist. MSS. Commission, Appendix, part iv., p. 318].

Fo. 349 *dorso.* Whitley Castle.

This is one of the greatest Romaine fortes. that are in all our contry. I rather think it, by reason of the huge ruynes, and spacious roomes to have bene some warlike towne. it standes upon a montaine side neare unto South Tyne, that runneth northerlie east frome Whitley. Alne fals into Tyne on the south east side of Tyne. Alne is distant frome Whitley castle about some myle. Alne devides Cumberland and Northumberland. I

went to one Mr. Cuthbert Musgrave of Crokedake beside Wigton to learne the antiquitie, for he is Lord of this Whitley castle, but his evydences shewes no more, but that Uepont was lord of Applebie, browham, and Whitley castle. The mayden waie comes to it frome Caervorran and goes frome it to mayden kirk and so to kirbethore.

For the fundation of our schole.

Our schole at Applebie was founded by Robert Langton, and Miles [=Milo] Spencer, docters, Anno Regni Elizabeth xiijo. xij die maij Anno Domini 1571.

Fo. 350, *olim* 331. [Copy by Bainbrigg, with small corrections by Camden—probably the first copy ever made by an antiquary—of the dedication slab of Ceolfrid's church at Jarrow, as to which see Canon (now Dean) Savage's article in *Archaeologia Aeliana*, xxiv,, 34. Camden printed the inscription in his ed. of 1607, p. 1606. Bainbrigg, whose travels apparently reached to Jarrow, adds :] in pariete templi literis valde antiquis hec habetur inscriptio. huius antiquissimi monasterii maenia magno quotidie oceani aestu alluuntur. hec venerabilis Bedae patria fuit, eius fons peramaenus, qui vulgo vocatur St Bedes well, hic ab incolis hodie ostenditur.

Fo. 351, *olim* 332. Hac proficiscentes, me inviserunt quidem nobiles germani, qui galliam, scotiam et Brytanniam peragrantes, Romanas inscriptiones undique colligentes, inter quos unus erat Servatius Reichell, is sequentem inscriptionem quam in scotia invenerat, aureis literis obductam, mihi descripsit. in porticu fortissimi propugnaculi, quod pertinet ad illustrissimum dominum Comitem Mareschall, dunotyr diche [*sic*] habetur haec elegantissima inscriptio. [C. 1143, now in the Hunterian Museum at Glasgow : I need not reprint it here].

Legio xx val. vic. quae ad Crawdundaile in Westmorlandia [fo. 337], et ad castlesteades in Cumbria, aliquandiu permansit ; hic etiam ad dunnotyr in scotia per millia passuum tria ad barbaras nationes repellendas, murum, ut videtur, duxit, quo tempore fortassis in has ultimas scotiae partes penetrasset Julius Agricola.

Multae Romanae inscriptiones, (sicuti ego accepi) hic ad dunotyr et ad Caronem fl. inveniuntur. de his, et de muro illo ad dunotyr ditche, vel d. Servatium, qui viderit, vel scotos, qui sunt apud te, harum rerum peritos consulas, et si placeat, rescribas.

[No little interest attaches to these " noble Germans " who visited Bainbrigg. Scholars travelled much at this time, and though both Scotland and England lay outside the usual circle

of their wanderings and foreign students came to British Universities less often about 1600 than they had done 200 years earlier, still they came. Joseph Scaliger himself, the greatest scholar of the age, visited Edinburgh and other places in Scotland and England in 1566,—and was not at all pleased with most of what he saw. Bainbrigg's German guests were lesser travellers. The one whom he mentions, Servaz Reichel, is also named by Camden as giving him two or three Roman inscriptions found in Scotland—the Dunottar Castle inscription which he also gave to Bainbrigg and in addition, C. 1126, and perhaps also 1100 and 1127. These appear in Camden's edition of 1607 and we may therefore put Reichel's visit between 1600 and 1606. He did not come alone, as Bainbrigg tells us, and chance has preserved to us the name of another German visitor to England about the same time, who may well have been Reichel's companion. This is Crispin Gericke, of Elbing in Westpreussen. His history has been worked out recently by a German scholar, Dr. Erich Ziebarth.[17] He was born in 1568, travelled in France, England and Scotland, dated a letter from London in April, 1604, brought back to Scaliger three Roman inscriptions from Scotland (C. 1110, 1126, 1127) and finally returned to his home, married in 1609, became "reipublicae secretarius"—presumably Town Clerk—in 1611 and died in 1618. There is still preserved in Elbing a Latin alcaic ode written by the headmaster of the local Grammar School in honour of his marriage, which begins by celebrating his travels and adds that now his wings are clipped :—

> Sic est, Cupido nam Paphius suis
> arcte alligatum compedibus tenet
> vinctumque servat denuo, ne
> limine longum abeas paterno.

Gericke and Reichel may have travelled together. At any rate, both visited the same three lands, England, Scotland, and France ; both were in our country about the same time ; Reichel was not travelling alone, and Reichel gave to Camden nearly the same three or four inscriptions as Gericke gave to Scaliger. The question then arises whether we can attribute to either of them a scrap written over with inscriptions which is preserved in Cotton Iulius F. VI. (fo. 323, *olim* 305, above) and which is certainly

(17) *Festschrift des Wilhelm-Gymnasiums fuer die* 48. *Versammlung deutscher Philologen zu Hamburg*, 1905, p. 84. I am indebted to Professor Dessau and Mr. I. Bywater for access to the book, which appears not to have been published in the ordinary way.

some German visitor's work of this date. It refers to Camden's edition of 1600, so that it is later than that. Its inscriptions do not appear in Gruter's *Corpus*, issued in 1603, so that it is unlikely to be earlier than 1602–3. It agrees therefore in date with what we know of Reichel and Gericke. Huebner assigned it confidently to Gericke. But specimens of Gericke's handwriting survive to

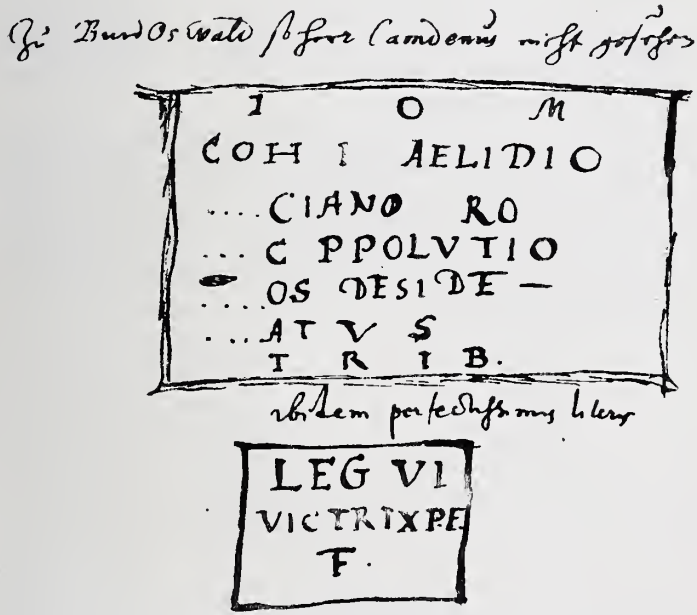


FIG. 1.—Specimen of handwriting of German traveller in England (fo. 323).

disprove this. Reichel is the natural alternative. But there may have been other German visitors and it is noteworthy that the scrap contains only one (C. 1143) of the inscriptions given by Gericke to Scaliger and by Reichel to Camden. See appendix and fig. 1].

Fo. 352, *olim* 333. Summo hac hyeme investigandi studio permotus, montes, valles, vetusta templa in scotiae finibus peragravi, quo non adivi, non accessi ut aliquid reperirem. ecce de improviso in crucem admirandae altitudinis incidi, quae est in templo de Revall, pulchris imaginibus Christi historiam referentibus, vinetis, animalibus eleganter et splendide perpolitam, de duobus lateribus a basi ascendendo ad apicem et contra ab apice

descendendo ad basim peregrinis literis, sed fugientibus incisam. Inscriptio talis. [A facsimile of the runes is appended. This is the earliest account of the Ruthwell Cross. Camden does not mention it].

Fo. 353, *olim* 334. Haec mutilata inscriptio habetur in aedibus magistri Lanceloti Carnabie apud halton ad murum picticum non procul ab hexam. cui adiungitur effigies hominis lecto decumbentis, sinistrae innixi, dextera dexterum genu tangente. [The inscription is C. 571 = L.S. 87, now at Cambridge. I need not print Bainbrigg's reading. Camden's account, ed. 1607, p. 666, is plainly taken from Bainbrigg].

Haec altera inscriptio est etiam ad halton, in quadrato lapide, literis sane magnis, sed fugientibus. [C. 560 = L.S. 86. Camden gives it immediately after the preceding item, but his text differs from that of Bainbrigg. As he appears to have got it from Bainbrigg, and as his additions (lines 4 foll.) are rather oddly phrased, I fear very much that we have here another instance of Camden's fondness for guessing.[18]

Bainbrigg.	*Camden.*
MARI	M. MARI
- SVELLI	VS VELLI
- - - LONG	A LONG
- - VS - - -	VSAQVI
	S HANC
	POSVIT
	V. S. L. M

Fo. 354–7, *olim* 335–8. Sequuntur nummi antiqui, qui hic effodiuntur partim mea partim amicorum custodia, si tibi vel. d. Cottono, usui esse possint, libens lubensque communicabo. [There follows a list of thirty-two Roman coins with legends of obverse and reverse where legible, ranging from Vespasian to Valentinian. No provenances are given and it would be idle to print the list]. his plura adiicerem, nisi te multo antiquiora habere viderem. de his igitur satis.

Fo. 358, *olim* 343. De vastis lapidibus qui sunt ad hepp, vulgo shapp in Westmorlandia.

Austrum versus, ad vi plus minus ab Applebeia est oppidum Rusticanum, quod vocatur hepp, vulgo shapp, in Westmorelandia, ubi sunt ingentia et rudia pyramidali forma saxa, quorum non-

(18) I should add that Huebner has here slightly misquoted Camden in respect of both the provenance and Camden's text of the inscription.

nulla novem pedes altitudine, et ambitu : 14. genere et specie, illis, quae sunt ad litle Salkeld in Cumbria simillima. sed non in modum coronae, ut illa, eriguntur. Sed in longitudinem unius fere miliaris, pulchro ordine, recta linia, equali fere distantia procurrunt. non sunt certe naturalia, sed factitia, et sine omni controversia in alicuius Trophaei sempeternam memoriam erecta. spectatu digna. Hic humana ossa superiori anno effossa.

Inscriptio ad Riblechester.

Est Romana Inscriptio ad Riblechester, quam mihi descripsit, venerabilis vir magister Thornborowe, eius syngrapham ad te mitto.

de Ara, quae est Balingii.

Post discessum d. Cottoni, Balingium profectus, aram, in domo, unde habuisti inscriptionem de Virio Lupo parieti domus intra oblique infixam, erui. sed introrsum scissa, et deformata fuit. hanc mutilatam de frontino inscriptionem balingii inveni. quae iam extat in aedibus meis applebeiae. frontinus rebus bellicis clarissimus, ferocissimam Sylurum gentem domuit, eum hic Balingii inter Brigantes egisse testatur haec inscriptio, quae recte ut mihi videtur, collocari possit. pag. 46. lin. 36 [of Camden's *Britannia*, ed. 1600]. petilii sucessor Julius frontinus. Sed ecce illam. [It is not given, but is obviously C. 274, found at Bowes and brought by Bainbrigg to Appleby in 1605].

Fo. 359, *olim* 344. Paucis ante diebus antiquum librum manuscriptum, ex monasterio de fontibus ablatum nactus hunc, sed non sine mendis scribendum curavi. Scio te iampridem nonnulla ex his Britanniae tuae inseruisse. si reliqua tibi usui esse possent, gaudebo.

APPENDIX.

TABLE OF CONTENTS OF COTTON IULIUS, F. VI., fo. 291, *olim* 179, and foll.

[N.B. C.=*Corpus Inscriptionum Latinarum*, vol. vii.]

Fo.	Contents.	Writer.
291 (279)	Sepulchral inscriptions of one Agrilius, found at Rome and printed *Corpus* vi 11262; with an upper piece inscribed CLAVDIANA6 (*sic*) in a circle round a Chi-Rho, omitted in Corpus and probably a distinct inscription.	Unknown.
292 (279)	C. 209	Camden.
293 (280)	C. 1126	Camden.
294 (279)	C. 209 again	Oswald Dykes? (see Cotton Iulius C. iii., fo. 162).

Fo.	Contents.	Writer.
295 (281)	C. 114$\frac{3}{4}$, 1127, 1110	Camden.
296 (281)	Letter dated June, 1602, referring to C. 108 ..	F. Godwin, bishop of Landaff.
297-8 (282-283)	Welsh Christian inscription of Pumpeius Carantorius (14 July, 1603)	The same.
299 (284)	C. 116, 113 (14 Jan., 1602/3)	The same.
299 dorso	Welsh Christian, Boduoc stone	The same.
300	Blank.	
301 (286)	C. 230	? Addressed on the back to John Wharton.
302 (287)	Letter referring to c. 230 (18 Jan., 1604) ..	Tho. Braithwaite (see fo. 310).
303 (288)	Boduoc stone again (7 August, 1604) ..	Fr. Tate.
304 (289)	C. 101	Camden ?
305 (290)	Runic stone from Bewcastle	Bainbrigg.
306 (291)	Rough copies of coats of arms	Unknown.
307 (292)	C. 875—the version called *anon.* by Huebner	Camden, a rough draft with his conjectures.
308 (293)	C. 963, 303	Camden.
308 dorso	C. 831 (thrice, twice erased), 826 (*anon.* version, erased), 850 (*anon.* version, twice), 855, 839, all very rudely jotted. (19)	Unknown; apparently not Cotton (see specimen fig. 2, and compare fo. 329).
309 (294)	C. 826 (*anon.* version), 841 (twice, once erased), 807 (*anon.* version), 837 (*anon.* version).	Ditto.
309 dorso	C. 875 (version of "Sibbald"); lines 1 and 2 are repeated separately.	Ditto.
310 (294)	C. 225	Tho. Braithwaite
311 (295)	C. 1143 (with the note *Pagina* 256, shewing perhaps that it was jotted down from Gruter), and 425 (the versions called by Huebner Sibbald's and Cotton's).	Camden. The text of 425 called Cotton's by Huebner is labelled *Sir Robt. Cotton sic legit.*
312 (296)	Ten rhymed seven-foot couplets, describing the descent of the manor of Baddesley Clinton, Warwickshire (Dugdale, p. 709).	Henry Ferrers, 1549 - 1633; see Colville's *Worthies of Warwickshire* (1869), p. 283.
313 (297)	The Bewcastle runes	Unknown.
314 (298)	Letter on Ribchester antiquities (26 Feb., 1612)	Rog. Dodsworthe
315	The cover of Dodsworthe's letter.	
316 (299)	Letter referring briefly to C. 209 at Ilkley, and to a carved stone found near Ilkley Church.	Sir Hy. Savile.

(19) In copying C.n. 831 Huebner has printed N$^{|}$I in line 4 instead of N$^{|}$V with a fracture after it; in copying n. 837 he has omitted the nearly illegible text about the "dish and ladle" on the side of the altar (fig. 1).

Fo.	Contents.	Writer.
317-321	See above, pp. 352-355	Bainbrigg.
322-3 (305-306)	C. 1178, 823, 844, 813, 808, 326, 327, 916, 337, 920, 1110, 1143. Reference to Camden's *Britannia*, ed. 1600, pp. 699, 702, are given also, and (as it seems) in the same hand.	Notes by a German, called by Huebner Gericke but perhaps Reichel or some other, p. 372. Specimen in fig. 1

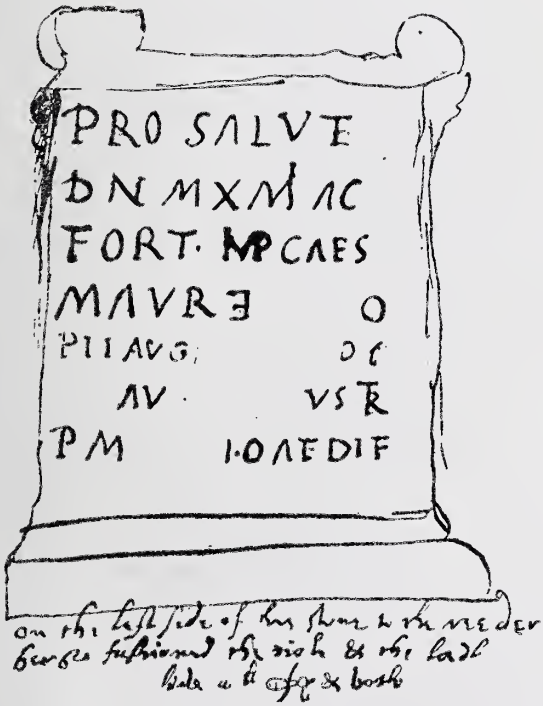


FIG. 2.—Specimen of handwriting (fo. 308-9), see p. 376.

324-8	See above, pp. 355-357.	Bainbrigg.
326 (309)	C. 996, 997	Jotting by Camden, on Bainbrigg's notes.
329 (311)	C. 930, 769, very rudely jotted	Same hand as fo. 308-9.
330-7	See above, pp. 357-363	Bainbrigg.
338 (319)	Sketch of a monument of a horse and fully armed rider, unknown to me; probably of Norman date.	Unknown.
339-46	See above, pp. 363-370	Bainbrigg.

Fo.	Contents.	Writer.
347 (328)	C. 844, 819, 864, 853, 979, 808, 813, 912 (part), and two sculptures. One item, *from the Holmes in Brampton*, seems broken off. C. 844 is dated 18 Sept., 1604.	Unknown (see specimen of handwriting in fig. 3).

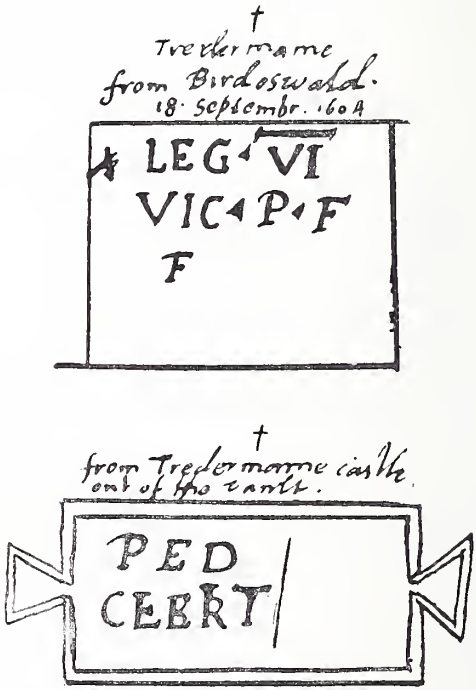


Fig. 3.—Specimen of handwriting (fo. 347).

348-59	See above, pp. 370-375	Bainbrigg.
360-425	Material unconnected with the subjects of this paper.	
426 (405)	C. 1171	Rog. Dodsworthe
427	Sketch of a funeral monument	Unknown.
428 (406)	C. 875. Addressed on dorso .. .. *To the right noble Willm Howard sonne of the right honorable Wm Lord Howard Baron of Gillesland att Naworth.* Dated 5 May, 1609.	Nicholas Cowpland, but written over with conjectures in Camden's hand.

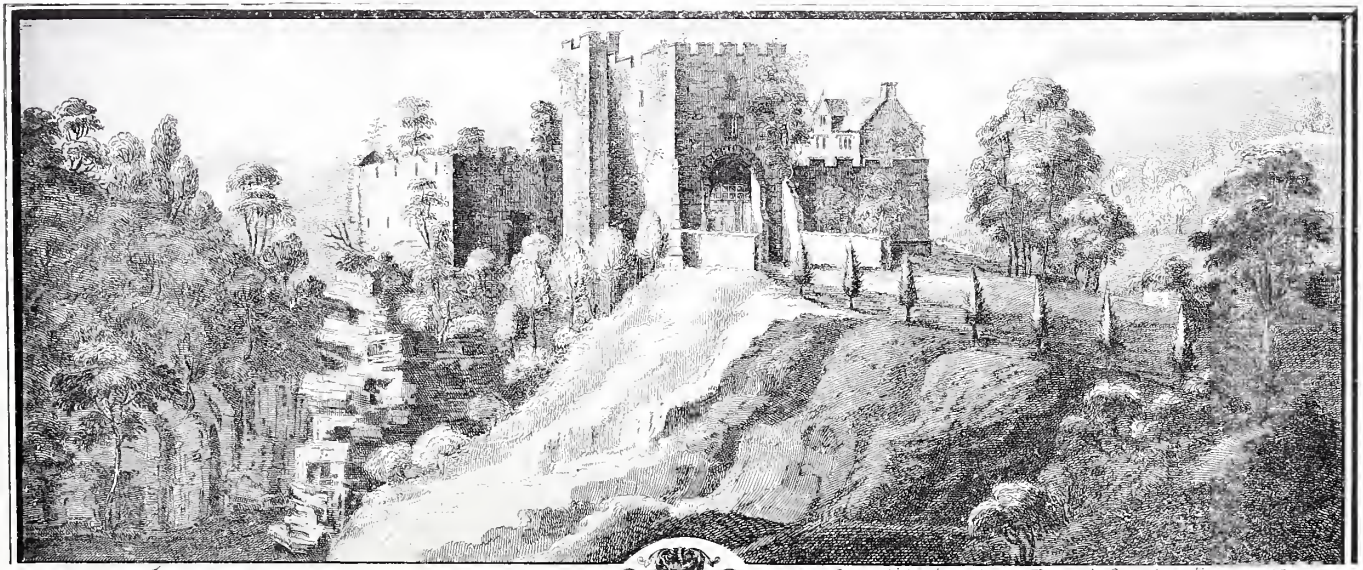
Note.—The MS. Cotton Iulius, F. x., contains three pages, all in Camden's handwriting, which are similar in contents to the preceding, and are perhaps worth mentioning here. Fo. 120 dorso has C. 220, 223, 221, 218; fo. 124 (*olim* 138b) has C. 229.

Photo. by W. N. Scaife, 1902.

PLATE I. HIGH HEAD CASTLE.

TO FACE P. 379.

THE NORTH-WEST VIEW OF HIGH-HEAD-CASTLE, IN THE COUNTY OF CUMBERLAND.



47

To Mrs Isabella Miller
This Prospect is humbly Inscrib'd by
her Obligd Servants
Saml & Nathl Buck.

THIS Castle which is founded upon a Rock, & the Court thereof is a natural Pavement was possess'd in 18th Edw III by William le Engleys & in ye 48th Year of ye same Kings Reign by William Son of Radus Restwold, and was then holden of ye Crown in Capite by ye Service of paying thereto one Rose Yearly. Afterwards it came by Purchase to ye Family of ye Richmonds, in wch it continued till ye 3d Year of ye Reign of his Late Majesty K. George, when ye last Male of that Family (Henry Richmond) died in his Bloom unmarried. His Mother Isabella was then married to Matthias Miller Esqr her Second Husband, whom, as well as her former, She survivd; without having Issue by him, & is ye present Proprietor & Occupier of this Castle.
Saml & Nathl Buck delin. et Sculp. Publish'd according to Act of Parliamt March 26. 1739

PLATE II. HIGH HEAD CASTLE: THE BUCKS' VIEW.

TO FACE P. 379.

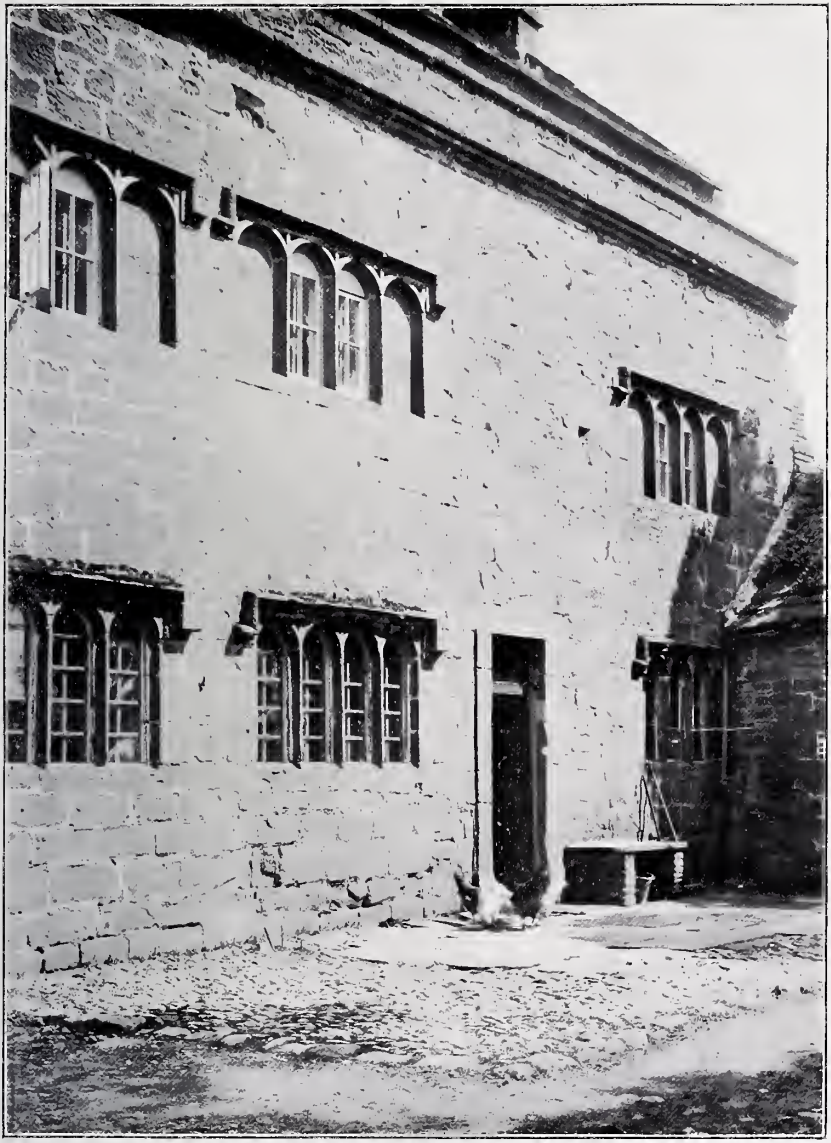


Photo. by W. N. Scaife, 1902.

PLATE III. HIGH HEAD CASTLE: THE TUDOR WING.

TO FACE P. 379.

Photo. by W. N. Scaife, 1902.

PLATE IV. HIGH HEAD CASTLE; THE GATEWAY.

TO FACE P. 379.

Photo. by W. N. Scaife.

PLATE V. HIGH HEAD CASTLE: THE GATEWAY FROM WITHIN.

TO FACE P. 379.

Photo. by W. N. Scaife.

PLATE VI. HIGH HEAD CASTLE: CEILING IN STAIRCASE.

TO FACE P. 379.

Photo. by W. N. Scaife.

PLATE VII. HIGH HEAD CASTLE: DETAIL OF CEILING.

TO FACE P. 379.

Photo. by W. N. Scaife.

PLATE VIII. HIGH HEAD CASTLE: DETAIL OF CEILING. TO FACE P. 379.

ART. XXI.—*High Head Castle, Cumberland.* By J. H. MARTINDALE, F.R.I.B.A.

Read at the site, September 9th, 1910.

THE Society has only once before visited High Head Castle—in 1874, exactly 36 years ago last month, equal to a generation in legal chronology.

Possibly one reason, if not the only reason, why we have not repeated our visit earlier, is the comparatively recent date of the major part of the existing buildings. We are so much in the habit of investigating the remains of buildings 1700 years old, as at Corstopitum yesterday, or hearing most interesting sermons in stone 1000 years old as at Brigham and Bridekirk, that a building only some 160 or 170 years of age appears too young to have any history or to require antiquarian attention.

Nevertheless, the later portion of High Head is a very instructive example of an architectural period, only sparsely represented in Cumberland and Westmorland, though common and fully developed in the larger mansions of the southern shires; and the other parts and the site represent a Royal Castle built as the residence and for the protection of the king's officers in the Forest of Inglewood.

On the visit in 1874 papers were read by the late Mr. Cory on the "Architecture," and by the late Mr. Jackson on the "Richmonds," (o.s., ii., pp. 105–108). I will only try to supplement Mr. Cory's remarks and collect any additional notes or information.

The manor is an ancient one in the Forest of Inglewood and said by Mr. Cory to be part of the barony of Dalston. This is not very clear, as a Dacre and a de Harcla, brother of the famous Sir Andrew, are recorded as captains,

apparently appointed by and holding directly from the Crown.

Edward III. granted a license for the king's yeoman, William L'Engleys, to crenellate his manor of Heyheved, October 6th, 1342 (Patent Rolls, 16 Edward III., part ii., m. 1). At this period a license was easily obtained if the necessary cash was forthcoming and no doubt the site had been fortified long before. The wills of this William and his wife Margaret were proved in 1369.

A family of English held the manor of Little Asby in Westmorland from the reign of Henry II. until 1368, about 200 years, when the male line ended. It is just about this date, 1375, that the "Restwolds" appear as owners of High Head Castle, and they continue for nearly another 200 years, when the Richmonds purchased the property about 1550, and from them it descended to the Broughams, about 1739, and continued in that family until purchased by the father of the present owner, J. W. Hills, Esq., member of Parliament for Durham.

Whellan, following the earlier county historians, states that the manor of High Head is held of the king "in Capite, by the service of a red rose rendered annually at Carlisle."

I don't think you will see any remains of the old castle for which the license to crenellate was granted. We have a sketch by the Bucks, taken a very few years before the eighteenth century work was started. This view is from the north west and shews the west wing which exists to-day. The 1837 reprint of Bucks mentions that "the old tower was encased with a new wall to bring it more in keeping with the new work." You see this new casing to the old gable before you and I think it has never been completed until this day. Judging from the other remains shewn in Bucks' view, a large court yard or ward is indicated, enclosed by a lofty curtain wall, extending from the north end of the old wing, and continued along the

edge of the ravine overlooking the Ivegill, with a gateway tower of two stories above the entrance arch. On the north front, a a stair turret is shewn in the eastern angle of this gateway. Without excavations it is impossible to indicate the position of the old curtain, but very probably the present forecourt is not far from the old line. Buck adds that "the castle was founded on rock and that the floor of the courtyard was a natural pavement." This statement is fully confirmed, for I believe in the recent alterations the floor of the present billiard room, the cutting for drains, etc., was all found to be solid rock. We can only conjecture what the buildings inside the court were like, from the west wing which remains and is known as the Tudor wing. Portions of the south and west walls of this part seem ancient, and there are or were two blocked up loops in the west wall.

This wing is about the middle of the sixteenth century and is 52 feet long and 26 feet wide; the walls are about 4 feet thick. The east wall is now an internal wall, the 1748 work being built at right angles to this face, in what must formerly have been the open court, for the windows remain and you will see them built up in the rooms of this block; they are shewn in Bucks' view. The windows are mullioned windows with arched heads to the lights, but have no transoms; they have square label-moulds. Several on the west side were partially closed until the last alterations. There is also a bold oversailing or corbel course and solid parapet to this west front. Internally the building has been two stories in height. The fine moulded oak main floor beams remain and may be seen, but the small joists are covered by modern plaster ceilings. The internal divisions are modern and the beams before mentioned seem to indicate a single room or large hall; I think five beams are visible. There is also some oak panelling of this date in a bedroom called the "Oak Room" and an armorial stone in the wall of another room. I

don't know of any mural chamber or stairs, unless one of the loops I referred to before, belongs to one.

As to the work of 1748—the first Broughams. It is planned on the strictly symmetrical lines of the period, about 90 feet from east to west and 52 feet from north to south. The principal floor as usual is raised on a vaulted basement some 6 feet above the ground, with wide flights of external steps, giving access to entrances on three sides, the principal one being in the north front. The masonry is of a bold character. The tympanum of the north gable is filled with carving and the arms of the Richmonds. The east contains the arms of the Broughams. The eaves are finished with cornice and balustrade; the latter possibly was never completed. You will notice from the north end of the sixteenth century wing, the commencement of a colonnade or covered way to the stables, another typical feature of the period, and this formed one side of a garden or forecourt, the other side being enclosed by a low wall. The very fine gate piers of the entrance to this court remain and consist of coupled Ionic pilasters or three quarter columns, on the external face, and a semicircular headed niche on the inner face crowned with a Griffin crest as a terminal.

The arrangement of the rooms of the ground or principal floor consists of entrance hall in the centre of north front, with staircase in double flights extending to the opposite side of the building. Both hall and staircase are separated by colonnades from a corridor some 8 feet wide, running longitudinally the full length of the building east and west. To the left of the entrance hall is a large panelled room, originally the dining room, but now the drawing room. On the right the corresponding space is divided into two rooms. On the south side of the main corridor, the space on both sides of the staircase was divided into two rooms, but the rooms on the west have been thrown into one fine dining room and panelled in oak in the style of the Tudor wing.

In the hall, staircase and drawing room, are beautifully modelled plaster ceilings and cornices, as fine as any in the north and reminding one, though a little later in style, of such ceilings as in the private state rooms at Holyrood or Lord Dartmouth's seat, Patshull, or Ashburnham House, Westminster.

The architraves and finishings of the doors and windows are all enriched with carving beautifully executed, and have columns and pediments of the period. Dr. Wilson informs me "that when the Flemish joiners completed their work here, they went to Dalston Church."

In the dining room over an elaborately carved mantel is some panelling, with ten armorial shields. It has not quite the same character as the panelling in the rest of the room and may have been removed from the older part of the house. Dr. Haswell describes the shields as follows:—1, Brougham; 2, Richmond; 3, do.; 4, Richmond impaling Clervaux and Chaytor of Croft, co. Ebor.; 5, unknown; 6, Dacre; 7, Richmond impaling Vaux of Catterlen; 8, Richmond of Corby; 9, Delamore; 10, Brougham impaling Richmond.

The general arrangement of the rooms on the first floor corresponds to those below and again follows the fashion of the period; all principal rooms communicate with each other. The rooms on both floors are about 12 feet high.

Before you leave I draw your attention to the pigeon house, which you will find described by the late Chancellor Ferguson in vol. ix. of our *Transactions*, old series.

In the park is the chapel of High Head, "reputed to be a very mean structure." It was re-built last century. In *Transactions*, o.s., ii., page 106, John, son of William L'Englese, is stated to have built the chapel, but in Bishop Appleby's Register, fol. 158, is the following:—"1368 a license granted to Sr. Stephen de Heyheved for saying Mass in the Chapple of Heyheved onely to Sr. Will. Lengleys Kt. and his family." This seems conclusive that

"1368" was not the date of the *building* but only related to the services.

There is a silver chalice, the date letter of which is illegible, but the maker's initials are the same as those on the plate given by Bishop Thomas Smith to Carlisle Cathedral.

I should like to mention the coincidence that, according to Mr. Jackson, the Richmonds were connected with Corby before coming to High Head. Mr. Hills' family connection with Corby will long be remembered there with pleasure.

NOTE.—At our visit Mr. Hills pointed out to me the basement of the south east tower, marked on my plan "of uncertain date." I think it is clearly of the fourteenth century or earlier date and there are two loops and a cellar, the only access to which is obtained from the outside through one of the loops.

There is also early masonry built on the rock on the north-east side over the ravine, which may indicate the site of the curtain shewn in Buck's view.

As regards the suggestion of a "Peel" tower I give rather an earlier date to the fortifications than the period when the isolated tower or peel formed the nucleus around which all following buildings were erected. It may be possible that the basement pointed out to me by Mr. Hills is part of that earlier structure which I think was of the quadrangular shaped plan, *i.e.*, towers at certain points, connected by a lofty curtain with or without buildings on the inside, similar in some respects to Scaleby Castle (see *Transactions*, N.S., vol. viii., p. 376).

The late Chancellor Ferguson in *Testamenta Karleolensia*, suggests that Wm. English may be the Knight of the Shire for Westmorland for a very long period in the reigns of Edward II. and Edward III.

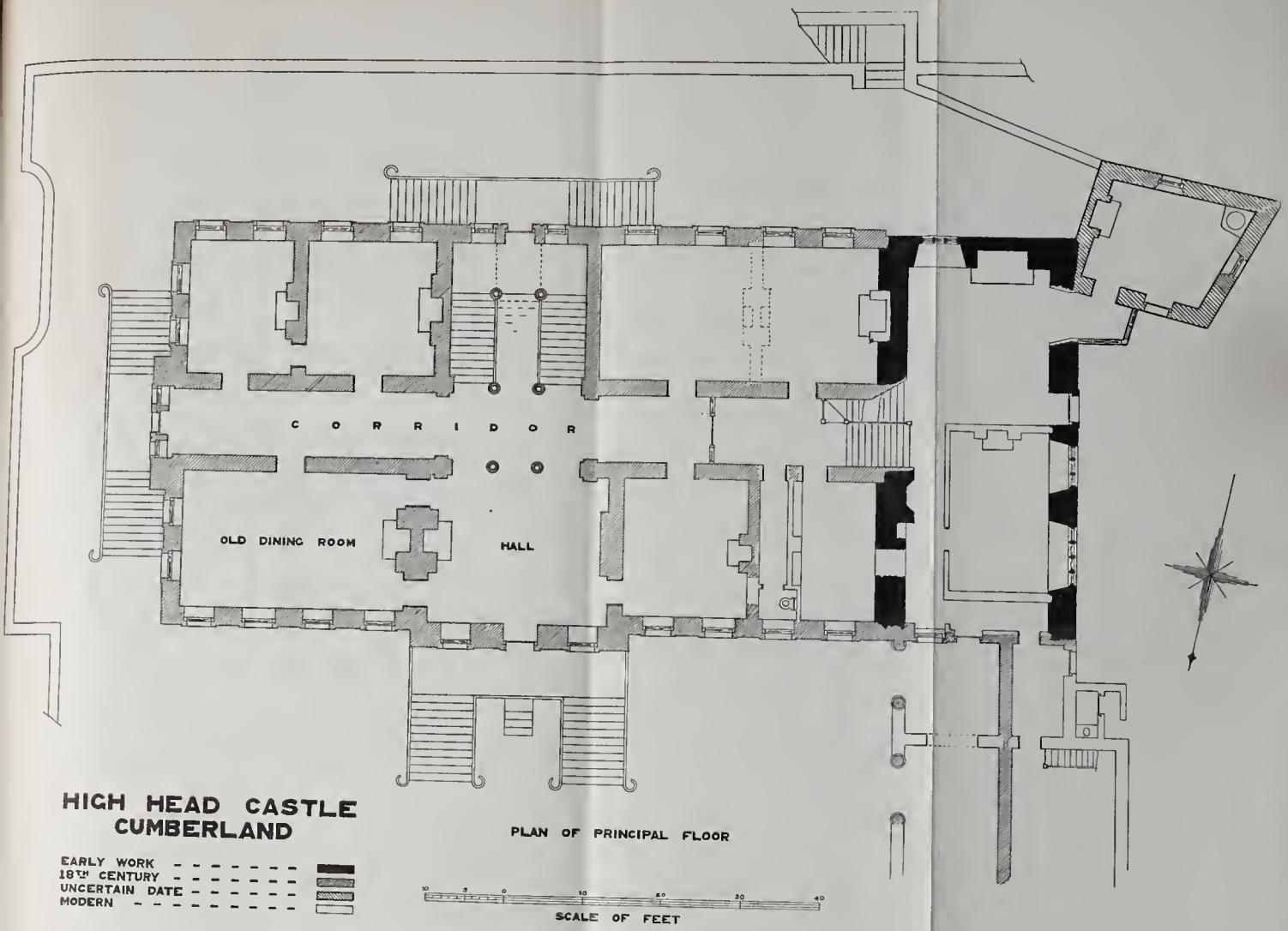
In the *Brasses of England* the following are mentioned :—

Beneit Engliss c. 1360
in Nuffield Church, Oxfordshire.

Henry English and Wife 1393
in Wood Ditton Church, Cambridgeshire.

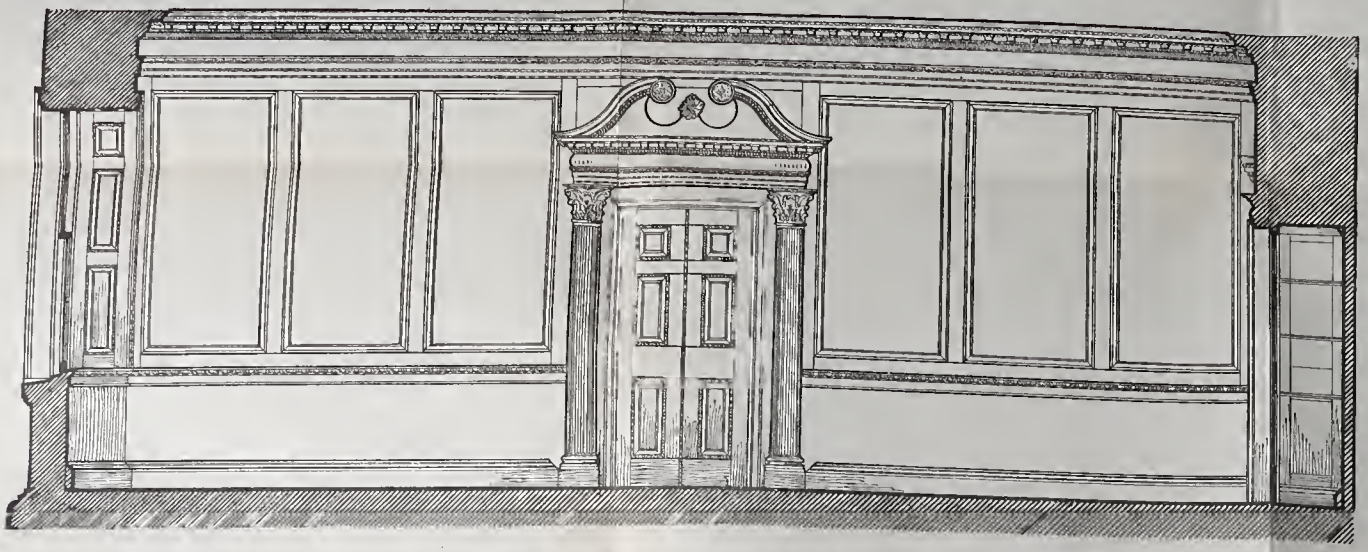
Alex. Inglisshe 1504.
in Campsey Ash Church, Suffolk.

I have written to the vicars of all these parishes but nothing seems to be known as to the history of any one of the brasses. The two earlier ones are near the period.

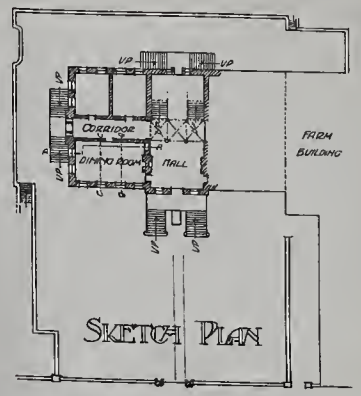

CORRIDOR
OLD DINING ROOM
HALL
HIGH HEAD CASTLE
CUMBERLAND
EARLY WORK
18TH CENTURY
UNCERTAIN DATE
MODERN
PLAN OF PRINCIPAL FLOOR
10 5 0 10 20 30 40
SCALE OF FEET

TO FACE P. 384.

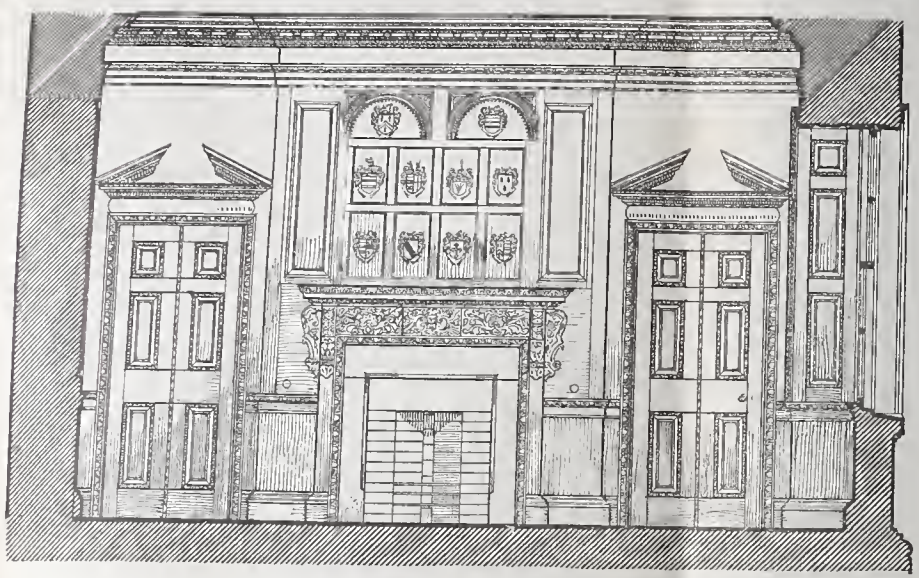
Highfead Castle
Cumberland
Details of Dining Room



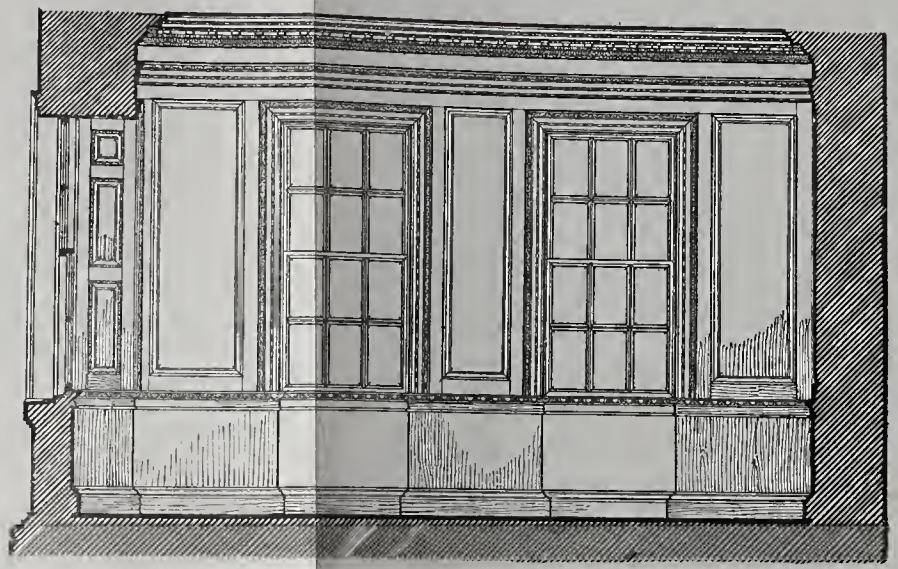
Elevation A.A



Sketch Plan



Elevation B.B



Elevation C.C

Scale of Feet

FOLDOUT BLANK

Drawn by Miss C. E. Faithfull.

PLATE I. POTTERY FROM DOCKER. TO FACE P. 385.

Art. XXII.—*Recent finds in Whittington Parish, Kirkby Lonsdale.* By Anthony Moorhouse.

Communicated at Carlisle, April 27th, 1911.

DOCKER is a sparsely populated township in the parish of Whittington, near Kirkby Lonsdale. The place is surrounded by an old-world atmosphere, and most of the door lintels bear initials and dates, the latter ranging from the twenty-first year of the seventeenth century to its close.

To-day the pursuits of the inhabitants are purely agricultural, but there is evidence that some following at least was claimed by other industries in the past.

In the course of a recent ramble through the township in company with Mr. Bibby of Arkholme, attention was drawn to a ploughed field near Docker Hall, and, on making enquiries, we were informed that broken pottery invariably accompanied the material turned up by the plough. Permission to investigate the matter was readily obtained, and a trench was dug through what seemed to be a promising part of the field. Our efforts were soon rewarded by the unearthing of a quantity of broken pottery which included pipkin handles of artistic design and superior finish; many glazed fragments bearing more or less ornamentation, and one piece in the shape of a mole's foot. The glaze was similar in colour to that on the pottery found at Silverdale, and may be of fifteenth to seventeenth century workmanship.*

* The fragments are of roughly made, wheel-turned ware, most of them irregularly coated with a transparent brownish-green glaze. Of those shown in the illustration, *a* is the lip of a vessel 6 to 7 inches wide at the mouth; the brim is $\frac{7}{16}$ in. and the body of the pot $\frac{3}{16}$ in. thick; one splash of glaze on the rim. Part of a fluted and glazed handle, *b*, is 2 in. broad where it joins

At first we thought that we had alighted only on a depôt for broken crockery from Docker Hall, but this supposition was negatived by the subsequent discovery of fragments which were partially or wholly unbaked, and this suggested that we were on the site of a former pottery. The correctness of this view was soon established by the discovery of several small kilns, the flue of one of which was still intact and showed traces of soot and charcoal. Repeated ploughings are doubtless responsible for the removal of a great part of the foundations, but sufficient remains to prove conclusively that a pottery of unknown dimensions has existed here.

That iron-smelting—at least to a limited extent—was carried on in the township in former times, was suggested to us by the discovery of pieces of iron slag in the bed of a stream to the south west of Docker Hall. The slag appeared to have been tipped from the bank above, and on turning up the sod there we found more slag and also broken stones (blue silurian). The field in which this slag occurs is known as Timberley; it is about half a mile north-east of Cinder Hill and one mile north-east of Keerholme. This is remarkable, since no iron ore occurs

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the vessel which is hardly $\frac{3}{16}$ in. thick. Fragment *c* is apparently the base of a stout handle, unglazed. The handles *d* and *e* are strongly glazed and ornamented by pushing the wet clay from either side toward the medial line and so making a kind of double foliated edge. The pieces *f* and *g* are unglazed handles of flat pans, and curled at the ends into volutes. The fragments *h*, *i*, and *j* are parts of the bodies of three vessels, wheel-turned and glazed, each about $\frac{3}{16}$ in. thick, *h* and *j* having thick mouldings at the brim; *h* shows the curve of a jug-spout, with a mouth about 4 in. diameter; *i* was a bowl of 9 in. diameter, and *j* a vessel about 3 in. across the mouth and wider below. Another piece, not figured, is the base of a glazed dish or bowl 10 in. across the bottom. The above have been kindly presented by Mr. Moorhouse to the Ruskin Museum, Coniston, to add to the collection of old local pottery.

In the possession of Captain North are other fragments from this site, one the lip of a vessel 9 in. diameter, unglazed; another the neck of a great glazed jug, $\frac{3}{4}$ in. to 1 in. thick; a third is the base of a bowl with flat bottom 6 to 7 inches in diameter, and thickly glazed. The most remarkable piece is the lip of a glazed vessel of $5\frac{1}{2}$ to 6 in. diameter with a brim $\frac{1}{2}$ in. thick, beneath which projects horizontally in strong relief a paw-shaped or tassel-shaped form (like the flange-shaped ornaments in some Late-Celtic pottery) and at the neck of this projection small circles punched with a cylinder such as an elder-berry stick. All this pottery is of similar coarse clay, grey inside and burnt to reddish buff on the surface; thin pieces which are burnt through are quite hard and sound.—Ed.

PLATE II. WOOD-CARVING FOUND AT DOCKER HALL.

TO FACE P. 387.

in the district, and it could not have been brought from any place less distant than Furness.*

There is no record either documentary or traditional of the existence of these two industries; and even the "oldest inhabitant" (often the possessor of an amazing imagination) failed to throw any light on the subject. He did, however, mention that a flax mill (the site of which we noticed) was formerly worked in the hamlet.

Another find in Docker is worthy of mention. Mr. Sedgwick, of the Hall, when recently clearing a loft over a shippon, discovered a beautiful piece of oak carving which had lain unnoticed for years; and it was not until the wood had been thoroughly washed and cleaned that the full beauty of the work became apparent. The workmanship is evidently of foreign origin, and may date from the time of Henry VII., but how and when it reached its strange place of concealment must remain a matter of conjecture. The carving is six feet in length, and one edge still bears the dowels (partly broken) which joined it on to another piece of the work. The wood is somewhat wormeaten, and the forms of the shields above the head of a lion are defaced, but in other respects it is in fair condition. No trace of paint can be seen on it, and

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* Since the reading of this paper Mr. J. Rawlinson Ford has kindly informed us that a forge existed at Keerholme in the early years of the eighteenth century. Lucas, in his MS. History of the Parish of Warton, vol. ii., p. 464 (dated 1710-1744), says:—"Soon after the beginning of this [*i.e.*, the eighteenth] century, the proprietors of the ironworks in Furness, having purchased the fall of Leighton Park and several other considerable quantities in that demesne and places not far distant, erected a furnace here upon a goit drawn out of Leighton Beck, for the smelting of iron: as a forge had been a few years before built at Keerholm very near the borders of this parish upon account of the fall of Dalton Park, &c." Fell, in his "Early Iron Industry of Furness," mentions this forge, and says it belonged to the Machells. Thomas Preston of Holker and James Machell of Haverthwaite went into partnership in 1690, and about this time the latter was in possession of Keerholme Forge, afterwards sold in 1718; and nothing more seems to be known of it. It must have been discontinued soon afterwards, as doubtless the supply of wood failed.

This information shows that iron smelting was going on in the neighbourhood, though the Docker bloomery is apparently a distinct site from that at Keerholme. The samples of slag are of the type found at the small and early furnaces.—Ed.

in places the wood is charred by fire. It may well be questioned whether any house in the hamlet was sufficiently pretentious to have claimed so fine a piece of carving for its adornment.

The neighbouring hamlet of Newton has its Chapel Field and Chapel Well. Within the former are to be seen traces of foundations, said to be those of the chapel which stood there in pre-reformation days. As the parish church of Whittington is hardly a mile distant, the chapel may have been a private structure in connection with old Newton Hall. During recent excavations, a portion of the tracery of a window (Plate III.) was found, and close to the well a large dished stone with a channel, and another slab with grooves an inch deep were also brought to light (Plate IV.). No doubt the grooved slab would be inserted into the side of the well with a flagstone placed across the grooves to prevent vermin from entering the well. Underneath this would be placed the dished stone with channel for public use. Although the well is in Chapel Field, there is no evidence of its having been dedicated to any particular saint. At Kirkby Lonsdale we find Our Lady's Well, and tradition places St. Colum's Well at Chapel House, Kirkby Lonsdale, although its exact site is not easily identified.

The Old Font at Whittington.—On the last page of the oldest register is the following entry, copied by the rector's permission :—

Mary daughter of John Johnson bapt. the second day of February in the new funt the first child the said funt erected in the 14th yeare of Raigne of our Soverign Lord Charles the Second.

This probably refers to the font which was in use to the time of the restoration of the church by Messrs. Paley and Austin in 1875. It was then replaced with a larger one of more elaborate design, in polished limestone.

The old font was then removed to an obscure corner in

PLATE III. WINDOW TRACERY FROM NEWTON CHAPEL.

PLATE IV. STONES FROM NEWTON CHAPEL WELL.

TO FACE P. 388.

the churchyard, from which it was rescued by the present rector and erected in the churchyard on the right of the main entrance to the church. I respectfully suggest to the powers that be, that the old font be given a place inside the church. Many generations of parishioners have been christened at this font. It is quite plain in design and is made of local freestone ; the base is 10 inches high, 3 feet across ; the font, which is a circular basin on a stout stem, is 15 inches high by 18 inches across the top.

One other item in connection with the district may be of interest. It is the following quotation from the registers of the Whittington Parish Church, by permission of the Rev. J. Hodgkin, rector :—

From the xix daye of December 1616. into iiijth daye of December 1617. next ensuinge it pleased God to visit this Pish. of Whittington with a dangerous diseasse or contagious sicknesse within the which time and space afforsaid there was sicke in this Pish. about twoe hundred in which tyme there diseased as followeth VID[elicet].

Then follows the entry of twenty-nine burials, one of which quaintly reads :—" Relict ould Richard Johnson." After the last entry in the list is the note :—" The end of the sicknesse afforsaid." The sickness appears to have had a marked effect on the number of christenings and weddings during the period of its visit, for only three of the former and one of the latter are recorded. We can well picture the distress which prevailed in the parish when we learn that, out of a population of some 350, the epidemic claimed no fewer than 200 victims.

ART. XXIII.—*The Milecastle on the Wall of Hadrian at the Poltross Burn.* By J. P. GIBSON, F.S.A., and F. GERALD SIMPSON, with contributions by Professor R. C. BOSANQUET and H. H. E. CRASTER, M.A.

Communicated at Keswick, July 7th, 1910.

INTRODUCTION AND HISTORY.

DURING the summer of 1909 further examination of the Samian pottery (now in the Chesters Museum; table-case G) and the remarkable series of coins which were discovered at Nether Denton in 1868 (these *Transactions*, O.S., i., p. 88), seemed to indicate a pre-Hadrianic occupation of that site.

Before 1896 a Roman road, in continuation of the Stanegate and leading towards Carlisle, was supposed to pass Nether Denton, but in that year some search was made for it, which proved unsuccessful (these *Transactions*, O.S., xiv., 422). The excavation of the fort at Haltwhistle Burn in 1907–8 (*Arch. Ael.*, 3rd ser., vol. v., p. 213) suggested the existence of a series of forts on the Stanegate, VINDOLANA, Haltwhistle Burn Fort and MAGNA lying upon its course at fairly regular intervals. VINDOLANA and MAGNA, although occupied in Hadrianic times as Wall stations, differ from the others in Northumberland, being unconnected with the Wall and some distance from it. Like Haltwhistle Burn, they are in close contact with the Stanegate and command defiles furnishing an abundant supply of water.

The pre-Hadrianic character of the remains from Nether Denton suggested the continuation of the Stanegate from MAGNA westward, and the possibility of the existence of another fort upon its line between those sites. The high

Fig. 1. GENERAL VIEW, LOOKING N.

ground commanding the defile of the Poltross Burn seemed to furnish an adequate position for such a fort. The continuation of the road for a part of the distance was not really in doubt. Its course was described by Maclauchlan, and it can be traced to-day, on the surface, most of the way to the Gap farm, a third of a mile east of the Burn, where it becomes "exceedingly obscure; its bearing would however strike the Poltross Brook about 100 yards above the place where the Vallum crosses." (*Memoir*, p. 50). In 1886, it was supposed that the crossing of the Burn by the Stanegate had been discovered, and that the road had been carried down deep stone-faced cuttings to a bridge (*Transactions*, o.s.. ix., p. 164), but in 1897 it was found that the cuttings were simply the Vallum ditch carried down as nearly as possible to the edge of the stream.

It was therefore decided to search the west bank of the Burn, south of the Vallum, for traces of the road, and afterwards to examine the "camp" on the Throp farm (*Memoir*, p. 52) which from surface indications bore no resemblance to the other four small camps of the supposed "third line of defence" in this neighbourhood.

The Earl of Carlisle, the owner of the Throp farm, having kindly given the required leave to excavate, the work was begun in September, 1909. Following Maclauchlan's suggestion, which seemed to be confirmed by surface indications, two series of trenches were cut on the crest of the steep western bank, but they failed to reveal any traces of a road. When at a loss where to continue the search, it was decided to keep the men employed by a short re-examination of the site of the milecastle close by, which was partially uncovered in 1886.

Less than two hours' work revealed the eastern jamb and passage wall of the south gate, and the remains of a wall built out from the jamb to reduce the width of the entrance. This was not mentioned in the report of the

work done in 1886, and as it exactly reproduced the arrangement at the south gate of Winshields milecastle, excavated in 1908, it was decided for a time to discontinue the search for the Stanegate and to proceed with the excavation of the milecastle.

The greater part of the north wall and gate was soon found to be within the boundary of the North Eastern Railway Company. Leave to excavate, up to the foot of the embankment, was readily granted by Mr. C. A. Harrison on behalf of the Company.

The work was continued until October 19th, when about one third of the area was uncovered. After remaining open during the winter, work was resumed on April 18th, 1910, and completed on June 7th of that year. It was left open for public inspection until August and was then entirely filled in.

In resuming the search for the Stanegate, it was thought that an examination of the Throp "camp" which lies about 380 yards to the south-west of the milecastle should furnish some indication of the line of road that might be expected to pass either on the north-west, or the south-east of it. Excavation proved the "camp" to be not a work for temporary occupation, but a fort, similar in area and in the arrangement of its gates, to that found on the Haltwhistle Burn. The position of its single lateral gate gave the first clue to the course of the Stanegate, which was at last discovered, about 150 yards south of the earlier trenches, passing on the south-east of the fort at a distance of nearly 100 yards, and running in the direction of Nether Denton.

After completing the excavation of the Throp Fort, the Vallum was further examined, and the retaining walls of the ditch on the west bank completely exposed for the first time. Finally, the Roman military way, or "Mural Road" was found carried along the north berm of the Vallum, just south of the milecastle.

It is hoped that the report of this latter work will be completed next year. From small beginnings, the work increased with the investigation of so many different features and finally covered a large area. Our best thanks are due to Mr. James Armstrong of the Throp farm for his kindness and help on many occasions, and for his ready consent to the extended scope of the work.

The existence of this milecastle has been known since the days of Horsley, but, even in his time, the surface indications were not very evident, and its chief distinction was its name "The King's Stables," which it seems to have got in mediæval times.

In 1886, an examination of the site was made by the Excavation Committee of this Society. Their report appears in these *Transactions*, o.s., ix., p. 164. Traces of the trenches then made were still visible in 1909. Part of the south gate, more than half of the east internal building and corresponding portions of the south and east outer walls were then uncovered. After a description of the remains, the report states that "apparently the interior had consisted of a number of small rooms but the place had been so smashed about when the railway was made that a plan could not be got." During the excavation, some Samian and other pottery was found, of which however all trace has been lost.

Site and Surroundings.

The natural position of the site of the milecastle is a strong one. To the east, it is defended by the very steep banks of the Poltross Burn, which runs northward fifty feet below. On the north-west, the ground slopes down rapidly to a small natural watercourse where the surface still is swampy. The site itself is not well adapted for building purposes, as it rises from north to south with a slope of one foot in five. The consequent terracing of the internal buildings, however, adds much to the interest

and value of the excavation. The slope ceases at the south wall of the milecastle which is not commanded by the ground beyond. During successive periods of occupation and ruin this slope has caused an accumulation of soil and débris at the lower (north) end of the milecastle that has preserved the Great Wall, which forms its northern rampart, to a height of nearly nine feet. The remains of the south wall are very scanty, one half having been entirely removed.

This destruction dates from the making of the railway only. During its construction in 1835, the contractors used the level ground for the storage of plant. They also used as ballast much of the surface material including the north mound of the Vallum and the south-west portion of the milecastle, making a waggon-way along the west wall for its removal. This is shown in section A B, Plate I., the "tip" being marked 1835. Probably the size of the waggon-way prevented the excavators of 1886 from recognizing it as the wall of the milecastle.

The next milecastle to the east is on the Chapel House farm; it is distant about 1675 yards. That on the west, overlooking the Irthing at Harrow's Scar is 1610 yards away. The latter can be seen from Poltross Burn, but not the former.

A general plan of the vicinity, showing the relation of Wall and Vallum, is given in these *Transactions*, O.S., XV., facing p. 190.

Dimensions and Proportions.

In the report of 1886, the opinion was expressed that "the King's Stables is something more than a mere milecastle," because of its position as guarding the passage of the Poltross Burn through the Wall. Had the writers known the large size of the "castellum," as well as that of the next at Harrow's Scar, no doubt this opinion would have been further strengthened. Though the crossing

point of two or three streams appears to be closely guarded by "castella," the cases where no such provision has been made are the more numerous, for the Tipalt, the Haltwhistle Burn, the King Water and the Cambeck cross the Wall more than a quarter of a mile from the nearest milecastle.

In general outline and arrangement of gateways, Poltross Burn corresponds with the milecastles already excavated. The outer walls form an approximate rectangle, the average inside dimensions of which are 70 feet from north to south and 60 feet 9 inches from east to west. Where the side walls meet the north wall the corners are angular, as usual; the southern corners have been rounded, not only on the outside, but on the inside also. The south-east corner alone remains, but the shape of the other may be safely inferred. At the present time only two milecastles, Poltross Burn and Harrow's Scar, the next in order to the west, are known to have the southern corners rounded inside (these *Transactions*, O.S., xv., p. 352). The gates are placed approximately in the middle of the north and south walls. The course of the Great Wall at the north-east corner is particularly interesting. In the case of nearly all the milecastles, as at Housesteads, Castle Nick and Harrow's Scar, the line of the Wall is fairly straight. At Cawfields a sharp turn is made just outside the west wall, but at Winshields the Wall makes a turn of 15° northwards, in the "north wall" of the milecastle, at the east jamb of the gate. There is a similar, though very slight, turn, of not more than 1° at Poltross Burn, which can just be detected in the plan, but 25 feet from the east jamb of the gate and still in the "north wall," there is a considerable turn of 16½° northwards. From this point the Wall takes a straight course for a third of a mile to Gap.

At the same corner, the south face of the Wall is thickened for a length of 11 ft. 7 ins. so as to form a

massive buttress for the corner of the milecastle, the foundations of which are on ground beginning to slope steeply to the Burn. The Wall was traced eastward from the turn for 35 feet down this slope, beyond which it is entirely destroyed. At the north-west corner, the Wall could not be examined, being too near to the railway embankment, but its course from the gateway to the Vicarage garden appears to be straight. As the ground rises slightly on the outside, a buttress need not be looked for at this point.

The inside corner was only 1 foot from the railway tool cabin, and the old stone boundary wall had to be removed before this area could be examined.

The completeness of the internal arrangement was the feature of the excavation. Hitherto the knowledge of these details was imperfect, and in consequence the nature of the occupation, and the use of milecastles generally, could not be certainly decided.

The most definite account of internal buildings is that given by Hodgson of the milecastle on King's Hill, east of Housesteads, which was destroyed, apparently, in 1832. He says that it had " an interior wall on every side, at a distance of about twenty feet from the exterior wall" from which he inferred " that the space between the walls had been roofed and the centre uncovered " (Bruce, R. W., 3rd edition, p. 178). From this account it is clear that the foundations at least of these buildings were of stone. Stone foundations are not definitely mentioned in the accounts of Cawfields and Housesteads, though buildings similar in plan to those at King's Hill are hinted at. The building which can be seen at Castle Nick is undoubtedly Roman, but clearly later than the outer walls, while at Winshields, the whole area is so badly disturbed that only one fragment of internal walling, about 16 feet long, parallel to the south wall, was found. At Harrow's Scar, traces of an internal wall were noticed in 1898 (*Transactions*, O.S., XV., p. 353).

At Poltross Burn the arrangement was recovered intact, and consists of a pair of long barrack buildings, separated from the outer walls by narrow passages, and placed, like the orthodox *strigæ*, one on each side of the road leading from gate to gate. A fall of over 9 feet in the length of the buildings necessitated a considerable step, or difference in level, between the floors of the several compartments. In the original plan, each building had been divided into four rooms of equal size, but in two later periods the number was reduced to three. In front of each, and distinct from the road, was a path which originally had been roughly terraced like the rooms within, while the road followed the natural slope of the ground.

The buildings do not occupy the whole length of the interior, spaces about 9 feet wide being left at the north end, and over five feet wide at the south. How the latter were utilized cannot be stated definitely, but the north-east corner was occupied by a flight of steps leading to the rampart walk, while in the north-west corner the cooking, or baking, oven of the garrison was placed. Striking evidence of change was obtained in connection with the oven, for no fewer than five structures had been built one upon another. In the north gate, four floor levels were found, the alterations including a reducing wall in the same position as that at the south gate.

The area within the walls is about 472 square yards, nearly 50 per cent. more than that of any known milecastle, except Harrow's Scar. This fact, however, does not seem to have its usual significance in the present case. The following is a list of milecastles, the accurate dimensions of which are known at the present time :—

Name.	N. to S.		E. to W.		Area.
	Ft.	In.	Ft.	In.	Sq. Yds.
Housesteads ...	49	6	57	6	316
Castle Nick ...	61	6	50	6	345
Winshields ...	60	0	48	9	325
Cawfields ...	49	0	63	0	343
Poltross Burn ...	70	0	60	9	472
Harrow's Scar ...	75	0	65	0	541

The first four clearly fall into one class, to which many others, judging from surface indications, almost certainly belong, but the last two stand alone, unless the site at Drumburgh be a "large milecastle" (*Transactions*, o.s., xvi., p. 81).

The accommodation for a garrison was, however, just as large in the average milecastle as it was at Poltross Burn, where the area covered by the buildings is only 208 square yards, or less than half the area within the walls. If the King's Hill arrangement be applied to Cawfields, it will be found that no less an area than 218 square yards would be roofed. A road 15 feet wide, from gate to gate, would occupy a further 82 square yards, or 300 square yards in all, still leaving over 40 square yards for ovens, or other purposes. It is highly probable that the governing factor in a milecastle plan was accommodation for a certain garrison, and that beyond this the various bodies of troops engaged in building the Wall had considerable latitude as to details.

The subsoil is a gravelly clay, containing many boulders, some of which are of grey granite. Here and there are beds, or pockets, of sand. Except where these occur, the subsoil affords a very firm foundation. Below the upper, glacial, deposits are the carboniferous series. They are exposed in the banks and bed of the Burn, and probably furnished the whole of the building stone used in the milecastle, when first constructed.

Fig. 2. GENERAL VIEW, LOOKING N.E.

The Defences.

The Ditch of the Great Wall.—The railway embankment entirely obliterates the ditch near the milecastle, making it impossible to prove its width and depth. Nearly opposite the turn in the north wall, however, it was possible to trench across the berm and locate the south lip. The berm, which was 19 feet wide at this point, was nearly level and showed no signs of disturbance.

Between MAGNA and the Irthing the ditch has evidently been of exceptional size, for in several places to-day the remains measure fully 50 feet in width. This is shown plainly in Fig. 2, on the east side of the Burn, the solitary tree near the right-hand top corner of the plate being in the ditch. On the north-west of the milecastle, the north lip is sharply defined for a short distance, just beyond the foot of the embankment. It is here fully 70 feet from the face of the Wall. The berm appears to be about 24 feet wide at this point. On Plate I., opposite the milecastle, a width of 45 feet and a depth of 15 feet have been indicated. There is no ditch outside the south and west walls.

It is not yet known how roads from the north gates of milecastles were carried over the ditch. There are no examples of original causeways, though in one or two cases the ditch appears to have been filled up in modern times. In the numerous cases where causeways are certainly absent, remains of bridges have still to be searched for. On the plan, the line of the ditch is continuous.

The outer walls and Great Wall.—The general method of construction of the outer walls of the milecastle and the Great Wall to the eastward, follows that of the Wall throughout its length and consists of outer facings of worked stones, laid in courses with lime mortar, having a core of rubble also made solid with mortar. The courses follow the slope of the ground throughout. Even in the east and west walls, where the slope is about 1 in

5, there is no trace of the horizontal work found elsewhere in hilly country.

The underground work is particularly interesting. The foundation trenches have been from 15 inches to 18 inches deep. Even where the subsoil is sandy, very little "cobble and clay" foundation has been laid at the bottom, and in several places there are no placed stones below the footing course. At the outer face of the west wall, on both sides of section A B (Plate I.) the ground rises sharply and falls again within a few feet. This is caused by some large boulders, which the builders had made no attempt to remove, consequently the depth of the foundations varies considerably, as shown in the section at that point. The difference in depth of the foundations (measured from a horizontal line) between the inner and outer faces at other points is due to the slope on which the walls are built, and to the great width of the footing course.

The faces of this course are composed of large flat stones, from 3½ inches to 5 inches thick, generally roughly dressed on the face, and from 16 inches to 24 inches long, the space between being filled with rougher stones, similar to those of the core above. The average width of the course is as follows:—North wall, 11 feet 5 inches, south, 10 feet 8 inches, east, 11 feet, and west, 11 feet 2 inches. Above this course there are offsets on both faces, about 6 inches wide on the outside and from 6 inches to 12 inches on the inside.

The next stage, which is thus reduced in thickness, is uniform in all the walls and on both faces and consists of three courses, the two lower being of ordinary walling stones, but the third of large "flags" from 2½ inches to 4 inches thick, often 15 inches wide on the face, and from 18 inches to 24 inches long. Some lime mortar was used in these courses, but there was also a considerable amount of clay, while below the flag course, the core appeared to

contain more clay than lime, as the binding material. The height of the three courses is about 20 inches on the outside of the north wall and 18 inches on the inside: elsewhere it is from 15 inches to 18 inches.

From various indications it is probable that nearly the whole of this work was intended to be below the surface, and that the flag course indicates the general ground level, at least outside the milecastle.

Above, the wall is still further reduced, by offsets 3 inches wide on the outside, and from 3 inches to 6 inches wide on the inside. The north wall is not further reduced, the final thickness being about 9 feet 2 inches. That of the south wall was probably the same, but the inner face is so much destroyed that it is impossible to determine the thickness exactly. On account of the steep slope, the outer face of the east wall is considerably stepped. Near the buttress there are four offsets, but the final thickness of the wall is not less than 9 feet 1 inch. At section A B (Plate I.) no part of the regular wall face remains and the indications shewn by dotted lines are inferred. At the west wall, where the slope is in the opposite direction, there are two offsets on the inner face, the final thickness being again about 9 feet 1 inch. Such a great thickness throughout is unique in the milecastles, though the north walls at Cawfields and Housesteads have been increased near the gates to over 9 feet. At Winshields, the uniform thickness throughout is only 6 feet 9 inches.

The inner face of the north wall is exceptionally well preserved (Figs. 1, 2, 7, 11, etc.). At the north-west corner it stands thirteen courses (7 feet 6 inches) above the offset (flag course), or sixteen (9 feet) above the footing-course, and it maintains a height of 8 feet 6 inches as far as the north gate. It is probable that several courses were removed near the corner when the railway was made, for the foundations of the old boundary wall touched the facing stones.

It cannot claim to be the highest unrepaired portion of the Roman Wall remaining, as the west side of the gateway passage at Housesteads milecastle is 10 feet 4 inches above the first period floor level.

On the east side of the gate, the inner face again attains a height of 8 feet 6 inches, but is reduced from fifteen courses to eight at the north-east corner (Fig. 7).

Between the gate and the north-west corner, the eighth course above the offset is much thinner than the others. East of the gate also, the eighth course is somewhat thinner and more regularly laid than those above and below. This feature appears to correspond with the familiar "bonding-courses" at AESICA, and in both the milecastle and fort walls at Housesteads, which are eight to nine courses above any offset. Whether this course continued round the other walls could not be determined. The west wall stands high enough to show it at the corner, but the face is hidden by the ovens.

The north face is much destroyed and retains only four courses above the offset, or seven (3 feet 4 inches) above the footing-course. West of the gate, it may be better preserved, but it could not be examined on account of the embankment.

The east wall has suffered much from the steepness of the slope to the Burn, the outer foundations being entirely removed for a considerable distance. At the north-east corner (inside), the alternate bonding of the seven courses which remain can be plainly seen in Fig. 7. The core appears to have been built up continuously throughout. The curves at the south-east corner have been regular and concentric, the radius at the outer face being about 16 feet. A short length of the curved face remains, but it ends abruptly, 25 feet east of the gate. The extra wide foundations on the east side apparently extended round the curve, but no stones were found in position.

The illustrations show that the character of the masonry

Fig. 3. NORTH GATE, N. WALL AND TURN AT N.E. CORNER.

Fig. 4. NORTH FACE OF GREAT WALL.

is rougher than the general average of the work on the Wall. Probably this is entirely due to the quality of the building stone, which is thinly bedded, often shaly and brittle, and very uneven in its fracture. The stones are long and narrow on the face, and quite unlike those with almost square faces so common elsewhere. The roughly broken ends have caused many wide joints between the stones. In only a few cases was there evidence of the use of a pointed tool on the face. The quality, even of the original work, varies very much in the different walls. The best is seen in the west wall near the ovens (Fig. 13), and the north wall west of the gate: the corresponding portion east of the gate (Fig. 7) is extremely rough throughout, but possibly the four upper courses may be repair work.

The original mortar has been of poor quality and has almost entirely decayed. The uneven quality of the mortar in different portions of the Wall is, however, well-known.

Though the foundations of the walls were exposed throughout on the inside, and for a considerable length on the outside, no small objects and not half a dozen fragments of pottery were found below the level of the offset, that is *in* the foundation trench, the only "finds" in the filling being a few broken food bones. The pottery of the first period generally began to be met with just above the level of the offset.

The details of the construction of the milecastle walls apply in full to the Great Wall at the north-east corner, and, if further evidence be needed on this point, the conclusion is certain that they are parts of one work, built at the same time. The characteristic underground work is shown in Fig. 3, the footing-course, three courses and offset, with the regular face above, being continuous throughout the north face and past the turn, which is made just at the commencement of the slope, while in

Fig. 4, the face of the Wall immediately beyond exhibits the same features. There is no break of any kind in the masonry at the turn. The slope shown in Fig. 4 is 1 in $3\frac{1}{2}$. The same arrangement of courses can be seen at the north face of the Wall in the Vicarage garden.

Beyond the broken end, not a vestige of the Wall remains on the west bank of the Burn. The cause of the total destruction is clear. Above the rock the subsoil is gravel and sand. The stream appears to have deepened its bed very little, but it has worked westwards during part of the period since the building of the Wall, undermining the bank and causing its collapse, as occurs at Harrow's Scar on a larger scale. This evidently happened many years ago, for the stream is at present undermining the eastern bank.

On the south face, the underground work differs from that on the north. The footing projects 2 feet 7 inches from the lowest course, or 3 feet 1 inch from the face, compared with 6 inches to 12 inches inside the milecastle. As seen in the foreground of Fig. 6, it has a rough face of the usual large flat stones, with smaller stones behind. It is continued to the face of the east wall and the buttress is built upon it. The full width, including the Wall, is 10 feet 9 inches, which corresponds very nearly with that of the milecastle walls. This extra wide footing is not a chance feature, for an examination of the Wall on the east bank of the Burn, showed that it is present on the south face there as well, but 2 feet 10 inches wide. The projecting course on the south face of the Wall in the Vicarage garden appears to have been intended to serve a similar purpose. What that purpose was is uncertain, though it might be suggested that the Wall in this neighbourhood was originally designed with a thickness of about 9 feet, but that it was reduced, except in the milecastle walls, after the foundation work was completed. One thing is clear, that there has been no reconstruction

Fig. 5. GREAT WALL AND BUTTRESS AT N.E. CORNER, LOOKING N.

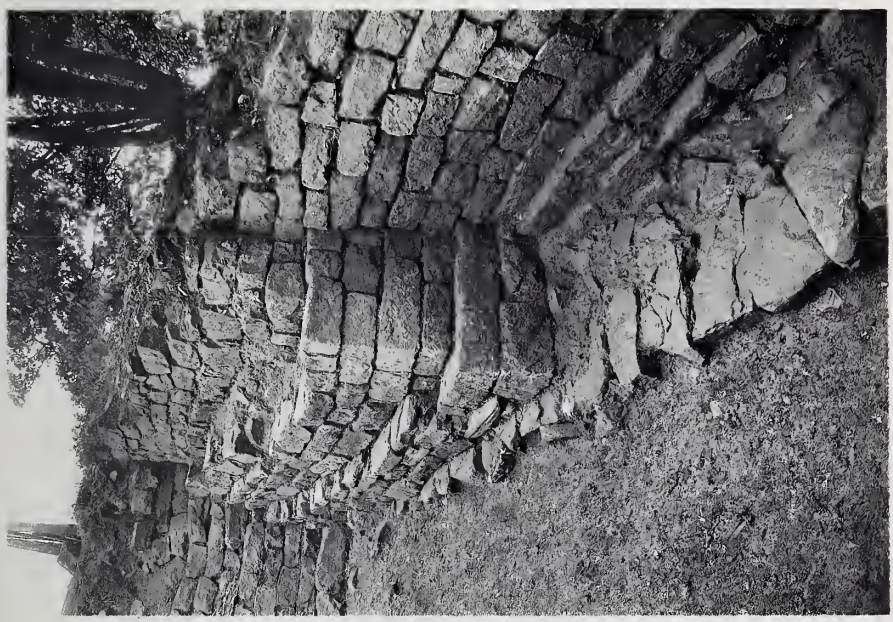


Fig. 6. GREAT WALL AND BUTTRESS AT N.E. CORNER, LOOKING W.

of the Wall from its foundations. The thickness at this point is 6 feet 11 inches and about 7 feet 8 inches in the Vicarage garden.

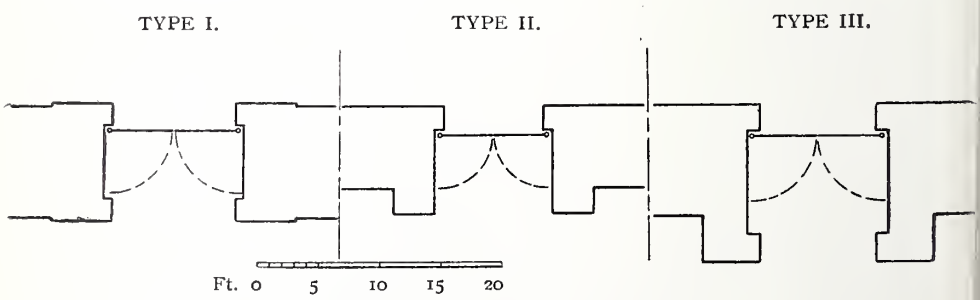
The buttress at the north-east corner is shown in Figs. 5 and 6. The three lower courses, which would be below the surface as usual, project 2 feet 8 inches from the face of the Wall for a length of 11 feet 7 inches, and are roughly stepped. The next three, which are set back 6 inches, follow the slope for 5 feet, but become horizontal at the lower end. The end, or return of the buttress is vertical: the courses are carefully laid, and the stones better dressed than elsewhere in the outer walls. There is definite bonding at the junction with the east wall. This is not the case, however, at the lower end, where the eight lower courses of the Wall face simply abut upon the six lower courses of the return face, leaving the lower part of the buttress free. After the photographs were taken, part of the Wall was removed to ascertain whether the return was continued in the body of the Wall. It is not so continued, the stones actually seen being the last in each course. The first bonded course is the seventh of the return and the ninth of the Wall.

Reference to evidence of reconstruction in the outer walls can now be dealt with, for the chief interest of the buttress lies in the fact that it has been almost entirely rebuilt above the level already described. Of the original face, which was set back a further 4 inches and finally projected 1 foot 10 inches, a small portion fortunately remains. One course is in position for 6 feet and of the course above there is one large stone just at the corner. Two courses higher, another stone, bonded into the east wall, has been allowed to remain when the reconstruction took place, the later facing-stones being behind it. The new face is founded upon the old core, and is uniformly 11 inches within the original line, reducing the projection to 11 inches. The five courses remaining at the junction

are not bonded into the east wall but have formed a straight joint. In the later work the courses are more nearly horizontal, and the stones smaller, but the chief difference is in the mortar, which is of excellent quality, white in colour and quite hard. Unfortunately, to the east the height of the remains is rapidly reduced, and it is impossible to say whether the Wall beyond the buttress was also rebuilt.

Inside the milecastle, it is possible to assign the various alterations and reconstructions definitely to the second, or third period, because of their connection with the floors of those periods. Such evidence is, of course, lacking in the case of the buttress. As, however, the considerable alterations belong almost entirely to the second period, the later face of the buttress is shown as second period work on the plan (Plate I.).

The Gates.—Since 1867, when Dr. Bruce issued the third edition of *The Roman Wall*, no new information regarding the gates of milecastles has been published.



ORIGINAL PLANS OF MILECASTLE GATES.

The examination of the milecastle at Cawfields in 1846, and of that at Housesteads in 1852, led Dr. Bruce to the conclusion that their gates were of a standard type, to which those of any other milecastle might be expected to conform. In this type, the masonry not only of the

piers supporting the outer and inner arches, but also of the walls connecting them, is very massive and heavy, several of the stones at Housesteads each weighing nearly a ton.

The total length of the passage including the piers does not exceed the thickness of the adjoining walls of the milecastle by more than a few inches, as shown in Type I. A re-examination of the north gate at Housesteads, made in 1909, showed that the passage had not been vaulted between the piers. The walls were probably continued to the level of the rampart walk, which would be carried over on horizontal beams.

In 1854, when Castle Nick was excavated, it was found that the gates differed from those previously examined, being built of stones similar in size to those used in the facing of the outer walls and the Great Wall. Dr. Bruce, in his description of this milecastle, says : " The gateways do not present the usual massive masonry ; they have doubtless been altered since their original construction." (*Roman Wall,* 3rd edition, p. 225). In June 1908, however, the north gate and the adjoining walls were bared to their foundations, when it was found that they were contemporaneous. In July of the same year, the gates of the milecastle next westward, at Winshields, were found to have been originally constructed in the same fashion as that at Castle Nick.

In plan, the gates of both these milecastles differ from Type I, in which the piers forming the supports of the outer and inner arches both project into the passage-way, the outer piers forming the jambs of the doors. At Castle Nick and Winshields, which had outer arches only, the passage was lengthened by simply extending the side walls beyond the inner face of the milecastle wall, as shown in Type II.

In the gates at Poltross Burn, the plans of the two foregoing types are combined. the passages being arched

at both ends as in Type I, and, at the same time, lengthened as in Type II. In construction also, there is a combination of massive stone work in the piers, with ordinary facing work in the passage walls.

The different arrangements shown in these plans seem to some extent dependent on the varying thickness of the walls through which the passages are carried, and they suggest that the gateway might form the base of a tower, through which the rampart walk would pass.

The north gate will be described in detail first, as one half of the south gate is entirely destroyed and the remainder furnishes very little evidence of the periods of occupation.

North Gate.—The width of the entrance between the outer piers, or jambs, is 9 feet 6 inches, and 9 feet 9 inches between the inner piers. This slight irregularity is noticeable throughout the structure, and the dimensions, unless otherwise stated, represent average figures. All the piers project 11 inches from the face of the passage-walls, which are thus about 11 feet 6 inches apart. The jambs are 2 feet 3 inches wide on the face and the inner piers 2 feet 4 inches. The recesses are 8 feet 5 inches long. The full length of the passage is 13 feet, or 2 feet 6 inches longer than the north gate at Cawfields, hitherto the longest known. The extensions of the passage-walls, which back the piers of the inner arch, are of great size, each being 4 feet 9 inches wide and projecting 3 feet 9 inches from the inner face of the north wall.

The piers are built of large stones, one stone occupying the full width of the pier at each course, in the original work, the average height of the courses being about 12 inches. The stones are generally rock-faced, within a roughly chiselled margin. The piers are not bonded into the passage-walls on account of the great difference in height between the courses, the masonry of the passage-walls being the same as that of the outer walls. The

returns, or side faces of the extensions are, however, bonded into the north wall in both cases, but the bonding is not of alternate courses because the facing stones of the returns are somewhat larger than those of the wall. The foundations of the piers consist of very large stones, roughly dressed, lying on a prepared bed similar to that below the footing-course of the outer walls, and projecting about 6 inches beyond the face of the piers above, as shown in Fig. 10, and on the plans. The greatest height of the west extension is over 7 feet 6 inches. The west wall of the passage is over 8 feet high, and 1 foot 2 inches higher than the east wall. There is no offset above the footings in the passage-walls.

As already mentioned, the original roadway, or floor, in this gate, was altered three times, the level being raised and many other changes made on each occasion, but enough of the structure survived the times of general destruction to reproduce the original plan at each level. Before examining the floors, a trench was dug across the full width of the entrance, at the outer face, and carried down to the foundations of the piers. The result, as shown in Fig. 8, suggested that several changes might certainly be expected. The different floors can be most clearly described if taken in the order in which they were found, beginning with the latest. The main phases are shown in Figs. 8, 9 and 10, and on the three plans (Plate II).

Level 3, *Section G.H.*—The top courses of the passage-walls were found immediately below the turf, the space between them being filled with the débris of the superstructure. The remains of the latest floor were met with 2 feet 6 inches below the top course at the west side. On that side of the passage the flooring was well preserved and consisted of flags about 2½ inches thick, laid in sandy clay, the joints between the flags being very wide. It extended over the full width of the passage at the inner

end, and was continued within the milecastle. Northwards, it ended at the inner face of a wall built out from the west jamb.

This wall is 5 feet 6 inches long and leaves an entrance only 4 feet wide, at the east side of the passage. Unfortunately, no portion of the wall remained above the floor, having been robbed down to that level. It was continued below, and clearly belonged to an earlier period, having been retained in connection with the latest occupation. At this level, no portion of the outer face remained, and only one stone was left at the end. Between the east jamb and the end of the wall, no trace could be found of a pivot-stone, or threshold, to indicate that the doorway was in use in this period, nor of walling showing that the narrow entrance had been built up. The flooring was also missing at that side of the passage.

Lying parallel to the west wall, at a distance of 3 feet 10 inches, were two stones, roughly dressed on the face, each about 2 feet long, 10 inches wide, and 6 inches to 8 inches thick, clearly no part of the floor, but apparently the sole remains of a wall abutting upon the reducing-wall and dividing the passage into two parts. In the last period, the south gate at Winshields was reduced in width in a similar manner. Though it is unwise to press the comparison between a north gate and a south gate too far, the presence of this dividing-wall is strong evidence that there was an exit at the north gate at Poltross Burn as long as the milecastle was occupied. The length and thickness of the wall must remain in doubt, but, in order to make the description clear, a thickness of 2 feet has been inferred on the plan (Third period, Plate II.). The two remaining stones are shown by full lines.

The space between this wall and the west side of the passage was undoubtedly used as a small chamber, at the north end of which was a hearth about 2 feet in diameter, shown on the plan by a dotted circle. It was surrounded

Fig. 8. NORTH GATE; THIRD PERIOD FLOOR LEVEL.

Fig. 7. JUNCTION OF N. AND E. WALLS, BEHIND STEPS.

by a raised bank of clay about 4 inches high, the flooring forming the hearth-stone. A quantity of wood-ash was lying near the hearth. Below the clay on which the flags were laid was a layer of mortar, very much decayed. The shape and area of the hearth were clearly defined below the flags in the clay and in the mortar as well, pointing to long continued firing. No special pottery, or objects, were found in the passage at this level.

The mortar covered a layer of mixed material, containing broken stones and burnt matter, with the addition of some gravelly clay. Below this was more dark material and ashes that covered the next floor. In removing the débris from the doorway, a small roughly dressed stone pillar, of the type used in supporting the raised floors of hypocausts, was found (Objects of Stone, No. 1).

Level 2.—This earlier level was 1 foot 7 inches below that just described, and was also continued inside the milecastle. At the west side some flooring was reached at a depth of only 1 foot 2 inches and at first it appeared as if there were two floors separated by not more than a few inches. When the whole was exposed, however, it was found that there was a raised platform, about 5 inches higher than the floor, over nearly one half of the passage. It is shown complete, as found, on the "Second period" plan (Plate II.) and, partially removed, in Fig. 9. The face, or kerb, was formed of stones similar to facing stones, and the raised area floored with small flags. The whole was 4 feet 9 inches wide and extended from the middle of the west inner pier to the reducing-wall. The corner was rounded (3 feet 6 inches radius) with the evident intention of improving the approach to the doorway.

The platform and the floor proper were of the same date, for the flags of the latter did not extend more than 4 inches to 6 inches under the kerbing of the former. In Fig. 9, the northern portion of the platform had been removed, and the edge of the flooring can be seen just

beyond the line of the kerb. The eastern portion of the floor had also been removed before the photograph was taken. The flooring flags were large and thick and more closely laid than elsewhere in the milecastle. Lying on the floor near the corner of the platform, was a partially dressed stone, which appears to have been intended for a small altar (Objects of Stone, No. 2).

The period to which the reducing-wall belonged was now made clear. Three courses of the inner face remained above the floor, but no portion of the outer face was in its original position, the few remaining stones being much bulged out of line. The latter can be seen in Fig. 8, but had collapsed before Fig. 3 was photographed. It was clear, however, that as at Winshields, the outer face has been flush with that of the milecastle wall. The thickness of the wall was 3 feet, or 9 inches more than the width of the jamb. At Winshields, the thickness (2 feet) was the same as the width of the jamb.

A pivot-hole was found in a stone built into the end of the wall at the level of the floor, the hole being 12 inches from the inner corner. There was no second pivot-stone at the east jamb, nor would one be needed, for the narrow entrance, measuring only 4 feet, would be occupied by a single door, which probably closed against the east jamb. There was a rough threshold in the doorway formed by several stones, two of which proved to be portions of the superstructure of an earlier period. They can be seen in position in Fig. 8, one being the large flat stone lying horizontally, with the other wedged in between it and the jamb. The first, which measured 3 feet by 1 foot 6 inches by 4½ inches, had a bold chamfer on one long edge. Thin stones having a similar chamfered edge have been found elsewhere and are usually looked upon as coping, from the parapets of walls or towers. The second stone was a voussoir, almost certainly from the arch spanning the original entrance. A second was found

at the same level, lying on the road just within the milecastle. From the position of these voussoirs, it would seem that the arches were thrown down during the time of destruction preceding the period in which the entrance was reduced in width. This view is entirely confirmed by the evidence from Housesteads and Winshields.

Level 1 B.—When the floor and the platform had been removed, it was found that the flags of the latter were laid on clean gravel, evidently brought in when the alterations were made, but below this layer and below the flags of the floor similar mixed material to that found above was again met with. The foundations of the reducing-wall, consisting of the rough blocks seen in Fig. 10, were then exposed and the voussoir and other stones removed, when the whole wall and threshold were found to be built upon a still earlier road-level, 11 inches below.

In Fig. 10, the large flat stone lying in the middle of the passage formed part of the second floor and can be seen in Fig. 9: it was left in position in order to make clear the changes in the levels.

The inner face of the wall at the west end was founded on a dressed stone which had a pivot-hole in its upper surface. Two stones of the face were removed in order to show this pivot-hole, and the gap thus made can be seen in Fig. 10, the stones behind being those of the jamb. The voussoir was found to be partially covering a similar pivot-stone, just within the east jamb, as seen in Fig. 3. These pivot-holes, which are at the same level, are in nearly the normal position of those of the double doors of milecastle and other gates. They are, however, fully 11 inches from the passage-walls, as shown on the "First period" plan (Plate II.). In all the gates in which the original pivot-stones are preserved, the holes are placed quite in the corner between the jamb and the wall, the centres being not more than 4 inches from both, so that the doors when opened would turn quite back to the

walls. In this case, however, a space would be left behind the door.

In the north gate at Housesteads, it was found, in 1909, that the original doors had been secured by a bar working in holes in the walls, at a height of over 5 feet above the floor. In such an arrangement there would be no projecting fixtures at the back of the doors, which accounts for the nearness of the pivot-holes to the walls in that instance. Mr. W. Parker Brewis, F.S.A., suggests that at Poltross Burn, the doors of this period might not be secured by a bar placed in holes in the walls, but in brackets fastened to the doors themselves. They could not then be hung close to the walls.

There was no threshold between the pivot-stones, but in line with the north face were three or four courses of rough walling, faced on the outside only. At the inner end of the passage, walling of a similar character, two courses (15 inches) high, was found, built across just within the inner piers. The top of this walling was approximately level with the pivot-stones. There were no signs of flagging at this level, either in the gateway, or inside the milecastle, the surface being formed of hard-rammed gravel. The object of the walling at both ends evidently was to secure a solid roadway through the passage.

The level just described was still over 3 feet above the footing-course at the north face, and fully 1 foot 6 inches higher than the offset which was just above the original surface level, while at the inside, the walling rested on another layer of gravel laid on placed stones, which implied a still lower roadway (Fig. 10). The upper surface (1 B, section G H) was therefore removed, exposing a layer of stones mostly set on edge, as shown in the section, obviously placed and not débris as found in the mixed layers above. Below the stones was the continuation of the lower gravel surface on which the inner walling was built.

Fig. 9. NORTH GATE; SECOND PERIOD FLOOR LEVEL, LOOKING N.

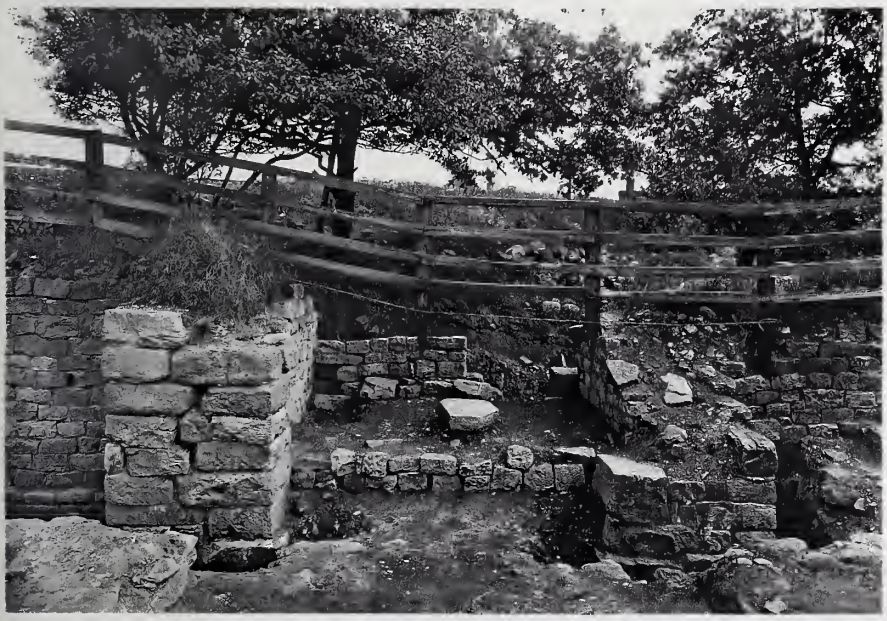


Fig. 10. NORTH GATE; FIRST PERIOD FLOOR LEVELS.

Level 1 A.—Some useful fragments of pottery were lying on this surface, including portions of No. 4, Plate IV., of two bottle-necks, similar to No. 11, Plate IV., and of a *mortarium* base with transparent pebble grit.

When this lower surface (1 A, section G H) was removed, the stones below were found to be laid as uniformly flat, as those in the layer above were on edge. The two upper courses of walling at the outer face proved to belong to the upper level, corresponding with the two courses at the inner end of the passage, those below, probably two originally, had served the same purpose at the lower level.

Although this lower surface was unmistakable, no pivot-stones were found in position. The corners between the jambs and the passage-walls were, however, cut out of the solid and definitely rounded for about 1 foot 3 inches below the upper pivot-stones, but below this point there were no signs of tooling. This rounding could have been useful only in the case of doors hung quite in the corners. Two pivot-stones were found in the later débris close to the gate. In each, not only was the hole much worn, but having been cut at one corner of the stone in the usual manner, that corner had burst away rendering the stone useless. It is highly probable that these were the original pivot-stones. Whether there were bar-holes in the passage-walls originally is uncertain. At the jamb, the west wall stands over 5 feet above the surface 1 A, and the holes should have been found, unless the bar was higher than at Housesteads. It is more probable, however, that the walls have been repaired and the bar-holes removed.

This proved to be the earliest level of the roadway. It was about 3 inches above the offset at the north face and fully 4 feet below the floor of the last period. The material below, which was practically in the foundation trench, furnished no evidence of a previous occupation.

The lower levels (1 A and 1 B, section G H) present the only difficulty in assigning the four to dateable periods.

The upper levels were separated from each other and from those below by definite layers of débris: they were also continuously connected with floor-levels inside the milecastle. No débris was found, however, between the levels 1 A and 1 B: the surfaces merged into one within 12 feet of the gate, and only one floor was found in the buildings below the two corresponding with levels 2 and 3 in the gate, showing that the roadway was raised and the doors altered during the first period, owing to purely local circumstances. As at Housesteads and Winshields, where the first alteration was the reduction in the width of the entrances, following the first destruction and the fall of the original arches, so the reducing-wall at Poltross Burn, and its floor (2) laid on the lowest layer of débris, clearly belong to the second period. The floor first discovered (3) is therefore that of the third and last period.

Owing to the roughness of the original work, it is impossible to state accurately to what extent the piers and passage-walls have been repaired. One probable example is, however, confirmed by direct evidence from Housesteads and Winshields. In Fig. 11, the west inner pier is seen to be built very irregularly. One stone occupies the full width of the pier (2 feet 4 inches) in each of the three lower courses, but in the fourth and sixth there are two stones, together measuring nearly 3 feet, the upper pair being extremely rough. In the fifth course, the single stone is over 2 feet 6 inches long. The overhanging portions project into the passage-wall, causing disturbance of the face. A curious feature is that the chiselled margin is cut across the projecting stones at the correct width of the face.

At Housesteads, an unsuccessful attempt was made, during the first destruction, to throw down the massive jambs of the north gate. They were, however, moved out of the perpendicular, and remain so to-day, with the second period work built against them. At Winshields,

where the stones were small, the extensions of the passage of the south gate were pulled down practically to the ground level, and never rebuilt. The outer walls also suffered very considerably. With such systematic destruction proceeding elsewhere, similar damage would probably be done at the north gate at Poltross Burn, evidence of which is supplied by the fallen voussoirs and the reconstructed pier.

South Gate.—The south gate has suffered because of its position at the top of the slope. The western half was removed when the railway was made and very little of the eastern portion which remains would be above the surface originally.

The general plan is the same as that of the north gate. The passage is 12 feet 6 inches long at the footings. The jamb is 2 feet 4 inches wide and the base of the inner pier 3 feet, the recess being 7 feet 2 inches long. The jamb projects 12 inches from the passage-wall. The extension at the inner face projects 3 feet 1 inch and is 5 feet 9 inches wide, but not more than two courses of it are left. Those above were probably stepped on account of the steep slope, thereby reducing the width of the pier to the normal 2 feet 4 inches and the length of the passage to about 11 feet 10 inches. Two courses of the jamb remain in position, the lower stone measuring about 4 feet by 2 feet 4 inches by 12 inches, and the upper, which is boldly rock-faced, about 2 feet 6 inches by 2 feet 4 inches by 14 inches. The remains of the reducing-wall are scanty. It is 3 feet thick, but the end has been removed and the length of the remainder is less than 3 feet. It is built out from the east jamb, the doorway thus being on the right-hand side of the passage when leaving the milecastle, as at the north gate, and at Winshields. There is no pivot-stone in position in the corner within the jamb.

The reducing-wall is built on a layer of gravel not more than 6 inches above the footings. There are no signs of

the successive floors found at the north gate, and the level of each period must have been approximately the same. The reason clearly is that while the raising of the floors at the north gate was useful, because the steepness of the slope was thereby reduced, a similar practice at the south would have made access to the gate from within difficult for men and impossible for horses. After the times of general destruction, when the repairs and alterations were undertaken, the débris at the north was allowed to remain and the new floors laid upon it, but at the south it was removed and the old level retained. Below some fallen stones near the inner pier, the coin of Victorinus, No. 9, Fig. 19, was found.

Structures connected with the Outer Walls.

Drain.—The mouth of a drain or culvert through the north wall was found 15 feet 3 inches from the east jamb of the gate. It is 15 inches deep, 7 inches wide at the top and 5 inches at the bottom. The footing-course forms the bottom and the flag course the cover. The inner end is seen at the foot of Fig. 7. Its position shows that it was below the surface from the first. No drains of any kind were found leading to it. It could only have been used before the internal buildings were erected and the floors laid and was certainly entirely blocked by the erection of the steps.

When the milecastle was completed, it is evident that surface water was carried off through the gateway.

Steps leading to the rampart-walk.—The remains of this structure, occupying the north-east corner of the milecastle, are shown in Fig. 12, and on the plan and section C D. The construction is simple and consists of a thin retaining-wall 15 feet 4 inches long, faced on the outside only, and roughly parallel to the north wall at a distance of 5 feet 4 inches. It abuts upon the east wall and is not bonded into it. The space between the walls is filled

with clean gravelly clay. The whole of the work is rough. The wall has no projecting footing-course, the lowest stones being laid on cobbles bedded in the gravel and clay. The greatest height above the foundations is 3 feet 5 inches, which is made up of eleven courses. Lime mortar appears to have been used, but it has entirely decayed.

Only three steps remain in position. They have sunk considerably in the middle from continued use, owing to the weakness of the clay filling. The risers are built of two or three courses of rough walling laid upon the clay. Each tread is made of several small flags. The first and third steps are complete, but only one course of the second remains and part of one course of the fourth, enough, however, to give the width of tread in both cases. At the bottom of the first step, some irregular flagging denotes the floor-level from which the steps originally sprang. The height of the first step is about 9 inches. The second is imperfect, but the rise between the first and third is 16 inches, or 8 inches each for the second and third. The three treads each measure very nearly 11 inches in width.

In spite of the roughness of the work the steps belong to the first period. The flooring at the foot of the steps is about 3 inches below the road-level 1 B at the north gate and must therefore have sloped down to the lowest level 1 A, otherwise surface water would have collected for which there was no outlet. The floor near the lowest oven, in the north-west corner, is also 3 to 5 inches below 1 B, and would slope down to the level 1 A. The lowest oven is certainly part of the original arrangement.

A flight of steps 5 feet 4 inches wide, placed in such a position, can have served only one purpose, namely to give access to the rampart-walk. No such steps have previously been recognized on the line of the Wall, or in its forts, milecastles or turrets. Their supposed absence led to the conclusion that ladders had been used for that purpose. In Wall-turrets, which are too small to contain

a staircase of any kind, probably ladders were so used, but where inner retaining-walls have been found less than five feet from the ramparts, it is suggested that some of them were the remains of steps of which the treads had disappeared, and not mere thickenings of the rampart as has been hitherto supposed.

The special value of the steps at Poltross Burn lies in the fact that from them a calculation of the height of the rampart-walk at this point, can be made. The calculation is made on the assumption that the flight was not interrupted by a landing, or extra wide tread, as nothing interferes so much with the rapid use of steps, especially in the dark, as a landing of any kind. The length of the retaining-wall (15 feet 4 inches) is equal to seventeen times the width of the three remaining treads (11 inches scant). The number of risers would thus be eighteen if the last tread was one step below the walk. Taking the lowest height of riser (8 inches), the height of the walk above the first period floor, inside the milecastle, would be 12 feet. On account of the slope, the height above the ground level on the north side of the Wall would be about 14 feet. A similar calculation based upon the north gate at Housesteads results as follows :—

	ft.	ins.
From first period pivot-stones to top of imposts	6	8
Height of arch (span 10 feet)	5	0
Height of voussoirs	2	0
	13	8

to which must be added the thickness of the flagging of the walk, and that of any masonry between it and the top of the voussoirs. In both cases, if the parapet was 6 feet high, the effective height on the north face would be about 20 feet.

Fig. 11. INTERIOR, LOOKING N.W.

Fig. 12. STEPS LEADING TO RAMPART WALK.

As the floor levels were raised, the lower steps were hidden by accumulated débris and levelling material. In the second period the steps were probably in use, as a portion of the flagged floor of that period was found between the internal building and the retaining-wall, just below the level of the third step. The coin of Gallienus, No. 8, Fig. 19, was found lying upon that step.

Evidence of the condition of the steps during the third period was entirely wanting.

Internal Buildings.

The average outside dimensions of the buildings are :—east building, 56 feet 3 inches by 16 feet 6 inches ; west building, 54 feet 3 inches by 17 feet. They are not quite rectangular, but their internal areas are equal. The buildings are 22 feet 6 inches apart and the passages separating them from the outer walls are about 2 feet 3 inches wide on the east and 2 feet 6 inches on the west. The foundations consist of a layer of rough stones and the footing-course only projects beyond the wall face where it is shown to do so on the plan. The walls above the footings are 2 feet thick throughout, and differ in construction from the outer walls, which follow the slope of the ground.

Level floors in the rooms were secured by building the east and west walls in four nearly horizontal portions, which are connected by stepped work and correspond with the number of rooms (Fig. 2). The north walls are specially strengthened to counteract the thrust of the sloping ground. In the west building, above the projecting flags of the footing-course, are two " steps " (Figs. 13 and 18), each about 6 inches wide and 10 inches high, making the thickness of the wall at its base nearly 3 feet. The north wall of the east building is stepped in the same way, but a dressed stone about 24 inches by 12 inches by 11 inches has been used at each end as a corner stone.

The facing stones are similar in shape and dressing to those of the outer walls, but are slightly smaller. A reddish clay has been used as mortar instead of lime, and it is still in much better condition than the lime mortar of the outer walls.

In the description of the different rooms and floors, the east and west buildings are indicated by E and W, and the rooms numbered 1 to 4, reading from north to south. On the plan (Plate I.), H 1–2–3 indicate the positions of the hearths of the three periods, and in section E F, F 1–2–3 denote the three floors in rooms W 1, W 2 and W 3. The floors in the east building are shown in section C D.

When first constructed, each building was divided into four rooms of equal size, measuring about 13 feet by 12 feet 6 inches, practically the same in area as the rooms in the barracks at BORCOVICUS (*Arch. Ael.*, 2nd series, vol. xxv., p. 231). Each room had a separate doorway, placed at the right-hand side as viewed from the outside, the buildings thus being the same in plan. The average width of the doorways is 3 feet 3 inches. The jambs have fortunately been built from the footing-course upwards, and not commenced at the threshold level as in modern practice. Had this not been done, the evidence of doorways in W 3 and W 4 would have been lost, as the remains of the wall are lower than the first floor levels in those rooms (Fig. 2).

The east building lies on a fairly regular slope. The difference in height between the first period floors in E 1 and E 4 is 10 feet 3 inches made up of three "risers," which must have measured about 3 feet 3 inches, 3 feet and 4 feet. The slope at the west building is not so great but is less regular, being gentle at the north end but steep towards the south. The difference between W 1 and W 4 is 8 feet 6 inches, made up of about 9 inches (W 1—W 2), 2 feet 9 inches (W 2—W 3), and 5 feet (W 3—W 4). As

no stonework was found retaining the terraced floors in each building, probably wood bratticing strengthened by posts was used, which would also form the partitions between the rooms. No remains of this bratticing were found, as it would be burnt in the first destruction.

In the second period, the internal arrangements were almost entirely altered. The number of rooms was reduced to three, which were of unequal size. In each building a cross-wall was added which enlarged the north room to about one-third of the whole area. The remains of floors showed, however, that the south room was not enlarged, but that the middle room was the largest of the three, occupying the first period rooms 3 and 2 (as far as the cross-wall). There were no traces of a second cross-wall. The third period arrangement appears to have been the same as that of the second.

The cross-walls are 2 feet 4 inches thick, faced on both sides, but very roughly constructed. They are not bonded into the outer walls of the buildings.

In each building, the three floors in the north room were separated by layers of débris of a considerable thickness, but in the middle room they were laid one immediately upon another. This may have been the case in the south room as well, but the floors there were almost entirely removed. The first period floors were of beaten clay, below which was the gravel and clay subsoil. The material excavated from the south end of each room was apparently used to level up the north end. All this "made" ground was removed during the excavations, but nothing was found in it which indicated an earlier occupation of the site.

The floors of the second and third periods were flagged.

In E 1, the level of the clay floor was given by the hearth (H 1) shown at the foot of Fig. 11. A single flag about 2 feet 6 inches square formed the hearthstone. It was much cracked by heat, and another flag had been

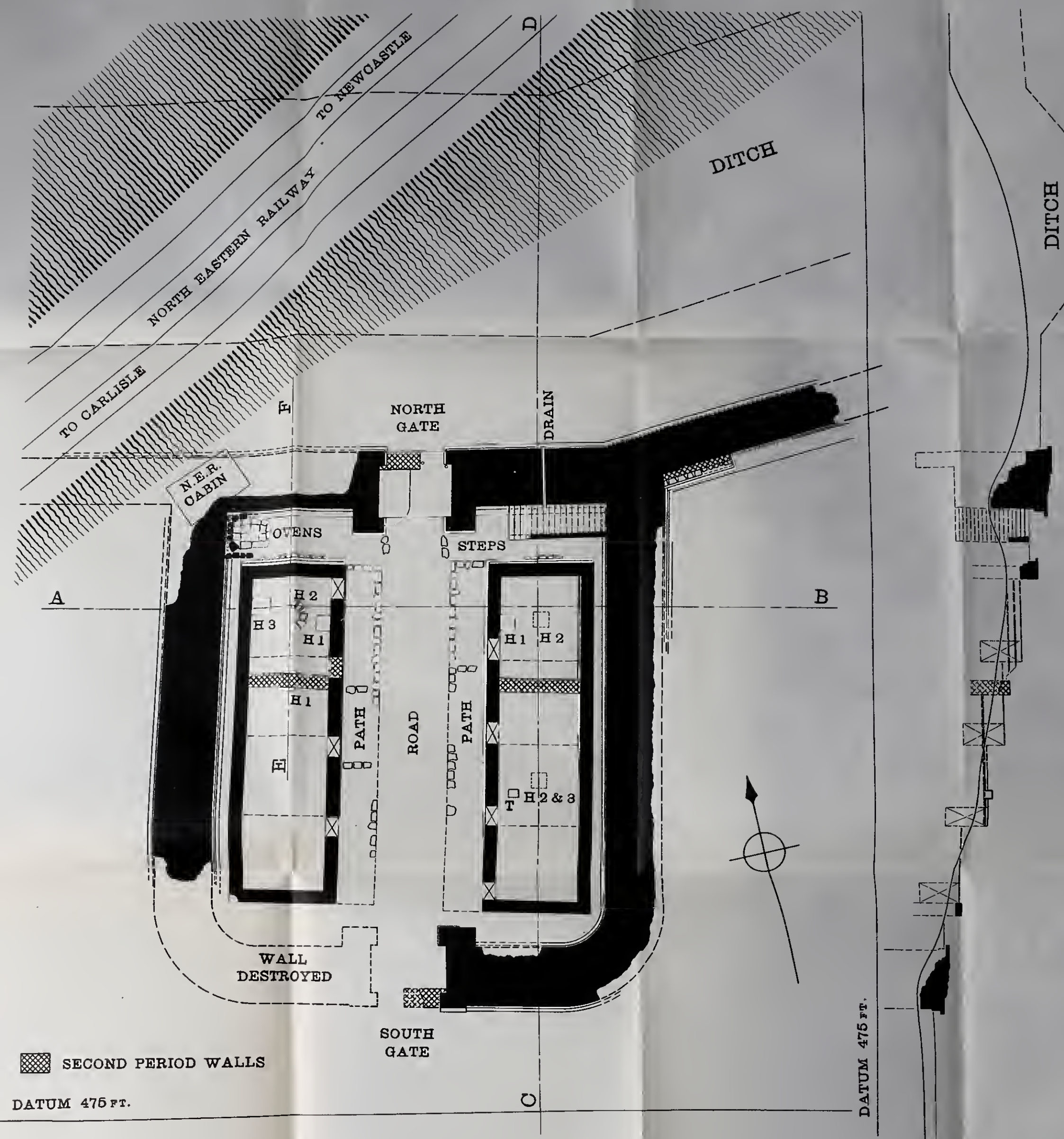
laid upon it, a fragment of which is seen in the photograph. The stones of the wall behind were also much reddened. In the doorway was the only pivot-stone found in position in the buildings. The hole was much worn. A piece of window glass, fragments of the bowl, No. 9, Plate III. and other pottery, were found at this level. The inner face of the north wall has sunk in the middle as shown in Fig. 1, but nothing was found below the foundations to account for the settlement.

The second floor was 10 inches to 11 inches above the first. The cross-wall is 16 feet from the north wall. The length of the room was thus increased by 3 feet, but the flagging did not extend within 2 feet of the base of the cross-wall. At the north end the floor was disturbed. Near the middle of the room the flags were much fired, showing the position of the hearth at this period (H 2). A small pickaxe was found on the floor near the doorway, and the intaglio, No. 3, Fig. 21, near the east wall. The third floor in this room had been almost entirely destroyed by modern disturbance, causing the pottery above it to become mixed with that of the second period in the débris below. The slight remains, however, showed that this floor was about 13 inches to 14 inches above the second. Except at one point, the remains of the walls were below the level of the floor.

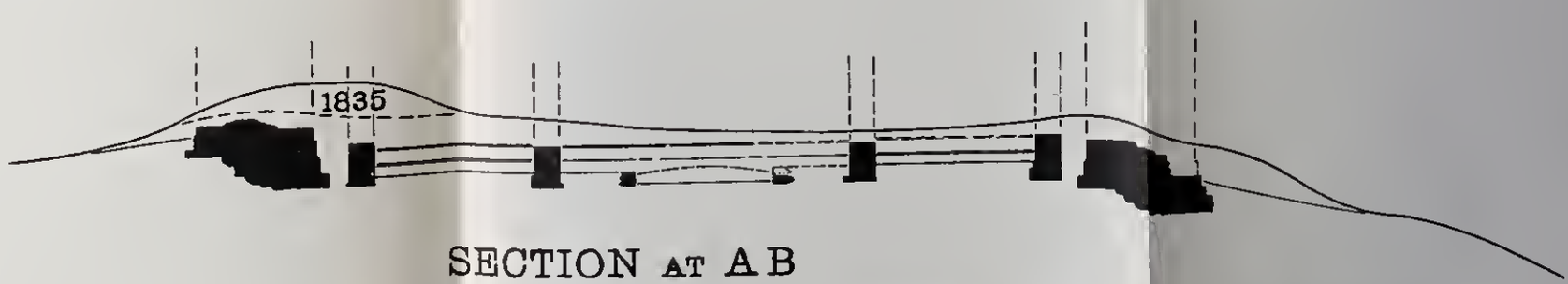
The second period alterations probably account for the lack of finds in E 2, for the floor would be much disturbed by the building of the cross-wall.

In E 3, the only remains found below the first floor were met with. Within a foot to the south-west of the later hearths (H 2 and 3) and about 9 inches below the floor, was a small hearth, built up at the back with two stones but open at the north side, showing that the ground had not been levelled at the time. It was covered with wood-ashes, and within two feet to the north were lying almost all the fragments of the jar, No. 26, Plate III.

PLATE I



SECTION AT CD



SECTION AT AB

SCALE: ONE INCH = 12 FEET

THE MILECASTLE ON THE WALL OF HADRIAN AT THE POLTROSS BURN

1909-10

F.G.S.

The whole was "sealed" by the gravel upon which the clay floor had been laid. The hearth appears to have been used during the building of the milecastle only. In the fort at Haltwhistle Burn there was a similar instance of a temporary hearth (*Arch. Ael.*, 3rd series, vol. v., p. 245).

In this room the levels of the three floors were separated only by the thickness of the flags. The surface of the clay floor was marked by a thin layer of ashes and other remains which had been pressed into the clay, including a spearhead, the socket of a large iron implement, several small fragments of pottery, one of window glass, and a number of pieces of coal. Two layers of flags had been laid upon the clay floor, the lower being the most complete. (Figs. 1 and 2 were photographed before this flagging was removed). The flags were much fired at the point marked H 2, indicating the second period hearth. Two of the flags had a chamfered edge similar to that of the flag found at the north gate, and appeared to be re-used stones from the first period.

The most interesting find, however, was a small "trough," the position of which can be seen in Fig. 1, and marked T on the plan. It measured 16 inches by 13 inches by 12 inches deep, inside, the sides being formed of thin flags, with a rough stone for the bottom. It was clearly an addition of the second or third period and was probably a smith's trough. The top was level with the lower flags. The sides were packed round with clean, sandy clay, different from that of the first floor. It was partially covered by one of the flags of the upper layer. Less than 2 inches down was the coin of Constantius Chlorus, No. 15, Fig. 19. At the bottom, below a dressed walling stone, were the base of a cooking-pot, similar to No. 32, Plate IV., two fragments of other vessels and a broken bone, the whole being covered with dark material containing ashes. The trough probably belongs to the

second period, the débris being that of the second destruction. The coin, which is in fine condition, may have been dropped when the upper flags were laid.

The upper flags appear to have formed the third floor, the hearth (H 3) being in the same position as H 2. The flagging was entirely destroyed within 8 feet of the cross-wall. The corresponding floor in the west building was, however, preserved (section E F): probably the same arrangement was followed in the east building, as inferred in section C D. The buckle, No. 2, Fig. 21, was found at this level. In E 4, a small portion of the first floor remained close to the doorway. Embedded in the clay was the coin of Trajan, No. 2, Fig. 19. In the south-east corner, two flags were found which may have formed part of the later floors.

The northern portion of the west building had fortunately escaped disturbance in modern times. In W 1 the clay floor (F 1, section E F) was better preserved than in E 1. The hearth (H 1), a flag about 2 feet 6 inches square, was placed against the east wall, its position corresponding to that of the first hearth in E 1. The *fibula*, No. 2, Fig. 20, was lying near the north-west corner of this room: about the middle were the bronze ornament and the metal lid, Nos. 9 and 18, Fig. 21, and a spearhead. Embedded in the clay, south of the hearth, were fragments of several vessels including Nos. 1 and 24, Plate III., Nos. 4 and 5, Plate IV. and a bottle-neck of white clay, similar to No. 11, Plate IV. Lying on the floor and mingled with the débris were many fragments, including portions of Nos. 7 and 27, Plate III. Near the west wall, in the débris below one of the flags of the second floor, was the coin of Faustina the Elder, No. 7, Fig. 19. It was coated with charcoal when found and shows evident traces of fire.

The second period repairs and alterations in W 1 and W 2 are of special interest. The area added to W 1 by the building of the cross-wall included the doorway be-

longing to W 2. This, being no longer needed, was built up, but at the same time the whole of the east wall of the room, between the doorways, was rebuilt from the second course upwards. The repair work is very rough and the clay used is of a yellow colour, quite different from the reddish clay in the original courses below. In Fig. 11 (¼ inch from left side of plate), the south jamb, four courses high, of the built-up doorway can plainly be seen, the contrast between the original masonry and the repair work being very marked.

The second floor was nearly 12 inches above the first, the flagging being fairly well preserved. The hearth was near the middle of the room (H 2). A rough semicircle of flags formed the sides, the floor being of clay. A flag lying against the west wall also showed signs of firing. No less than seven of the flags used in this floor had chamfered edges similar to those found in the middle room of the east building. At this level were found the two *lorica*-scales and the chape, Nos. 10, 11, and 19, Fig. 21. The pottery included No. 31, 32, 34 and 42, Plate IV. Close to the cross-wall was another stone pillar of the hypocaust type (Objects of Stone, No. 3).

The third floor was about 14 inches above the second. It was well preserved, except near the walls where the flags were disturbed by the removal of facing-stones. The hearth (H 3) was placed against the west wall. It measured about 3 feet by 2 feet 6 inches and consisted of several small flags. Lying not more than 3 inches above this floor in the north-west portion of the room, and less than 2 feet apart, were three coins, one of Hadrian and two of Diocletian, Nos. 4, 11 and 12, Fig. 19. The silver *fibula*, No. 6, Fig. 20, was also found in the north-west corner. The pottery included portions of Nos. 1, 2 and 6, Plate V.

Owing to the gentle slope, the floor of W 2 was only 9 inches above that of W 1. There was no "made"

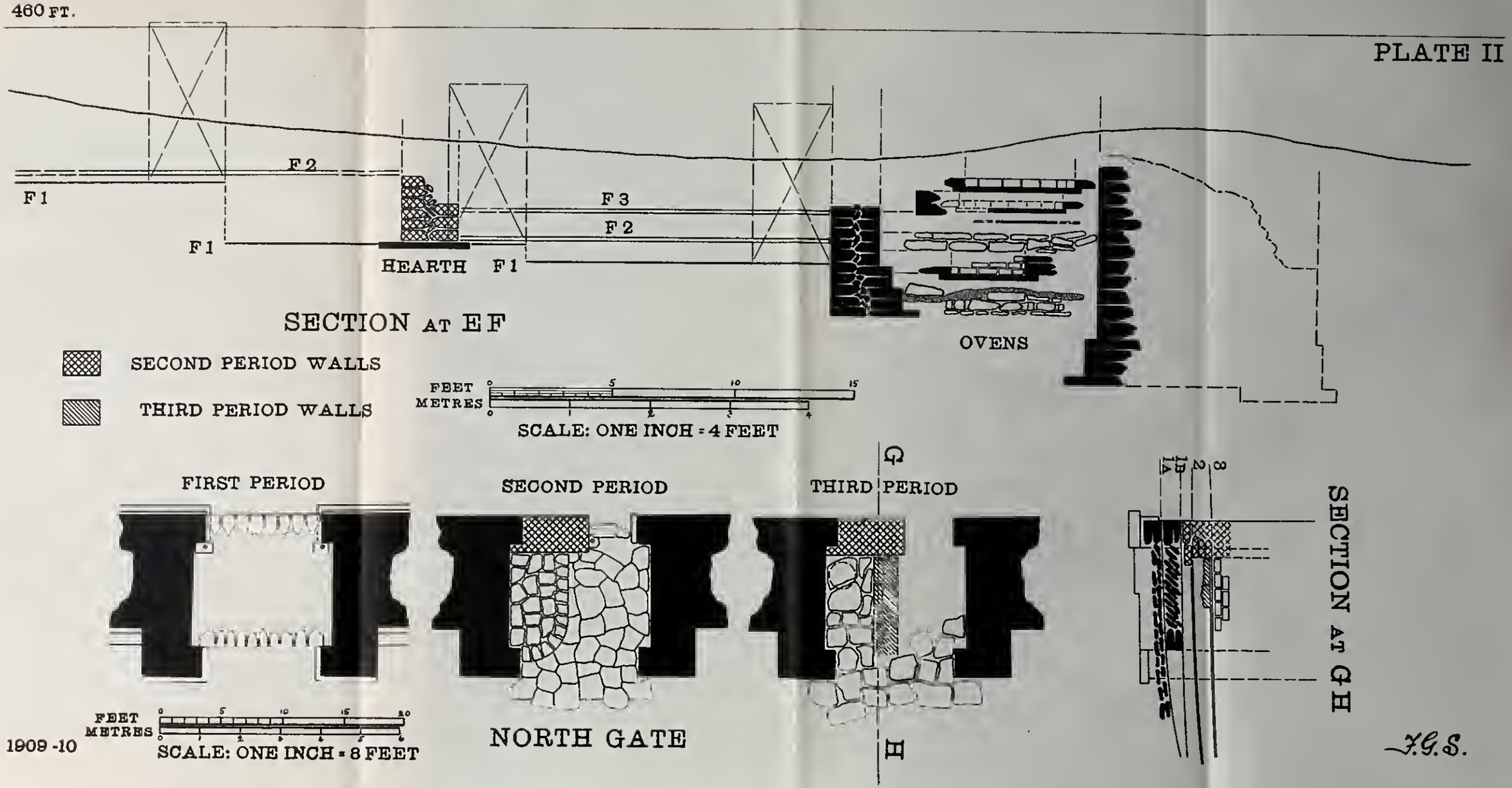
ground at the north end of W 2 and the cross-wall was built upon the clay floor, not below it as in E 2. Consequently the floor and débris were not much disturbed. Under the wall, near the middle of the room, was a large fired flag, apparently the first period hearth (H 1). The pottery found in this room included Nos. 4, 5 and 29, and further fragments of No. 24, Plate III., and No. 1, Plate IV.

The clay floor was not very distinct in W 3, but the base of No. 25, Plate III., and fragments of the bottle-neck, No. 12, Plate IV., were found below the flags. Enough remained of the flagged floor (F 2) to show that it was carried forward to the cross-wall as shown in section E F. There were no remains of a second layer of flags. The harness mounting, No. 13, Fig. 21, was found close to the cross-wall and a stone lamp at the south end of the room. The pottery included the *mortarium*, No. 3, Plate V. and one similar to No. 4, Plate V., also cooking-pots similar to Nos. 6 to 15, Plate V. Where the third floor was intact, vessels of these types were uniformly found above it. In this room, probably the same level, if not the same floor, was used in both second and third periods.

There were no definite remains of floors in W 4.

At King's Hill, Cawfields and Housesteads, the buildings appear to have had lean-to roofs. The presence, however, of the narrow passages, forming easements for the " drip " from the roofs, between the buildings and the outer walls at Poltross Burn, indicates that the original roofs were of the gable pattern. They were probably divided into four horizontal portions, corresponding to the number of rooms.

The roofs were probably covered with " stone-slates. " Six pieces of thin flag, showing nail-holes and evidently intended for roofing, were found. None of them came from the northern portion of the interior, but many other


460 FT.
F 1
F 2
F 1
HEARTH
F 1
F 3
F 2
OVENS
SECTION AT EF
SECOND PERIOD WALLS
THIRD PERIOD WALLS
FEET
METRES
SCALE: ONE INCH = 4 FEET
FIRST PERIOD
SECOND PERIOD
THIRD PERIOD
G
H
FEET
METRES
SCALE: ONE INCH = 8 FEET
NORTH GATE
1A
1B
2
3
SECTION AT GH
F.G.S.

1909-10

pieces, without nail-holes, probably escaped notice among the débris of building stone of the same character. Only seven small fragments of roofing-tile were found. Had the roofs been tiled originally, the débris must have contained a much greater quantity. The fragments of window glass indicate that the windows of the buildings were glazed, at any rate in the first period.

The Ovens.

The first indications of the presence of ovens in the north-west corner were observed in 1909, when two or three well defined layers of wood-ashes, separated by clayey material, appeared in a deep trench exposing the inner face of the north wall. Further examination was postponed until 1910, when the boundary wall and nearly 2 feet of "tip" were removed. In the latter was found the *fibula*, No. 4, Fig. 20, which suggests that some of the material used in forming the waggon-way in 1835, may have been brought from the south-west portion of the milecastle.

The ovens are described below in the order in which they were found. Their position relative to the internal buildings and the outer walls is shown in Fig. 13 and section E F. Figs. 14 to 18 illustrate the successive structures as much as possible in plan.

The floor of the latest oven was reached only 1 foot 5 inches below the top course of the north wall (Fig. 14). The débris above contained wood-ashes and a number of fired stones, evidently from the oven walls. The floor consisted of roughly squared flags fitted closely together, and was complete with the exception of two flags at the south-east corner. The whole sloped slightly towards the east. At the west end, part of the first course of the wall remained in position, the face being 12 inches within the outer walls. The facing stones overlapped the flags from 3 to 4 inches and where the stones were missing

their position was indicated on the flags by the line of firing. The oven would measure about 5 feet 9 inches by 4 feet 6 inches (N. to S.) inside, and the remains of the oven wall showed that its shape was that of an irregular octagon.

Abutting upon the west wall and 7 feet 6 inches from the north wall were the remains of a wall, two courses high and 4 feet 6 inches long. It faced south and was 1 foot 5 inches from the north wall of the building. This intervening space, and the west easement for 3 or 4 feet, were full of ashes. The walling was probably continued round the front of the oven as a support for the whole structure. The floor of this oven was 12 inches above the third floor in W 1 and 2 feet above that floor in the north gate.

The flags were laid in puddled clay which was much reddened. Below was a layer of gravel and clay, covering a thin band of ashes, but containing no fired stones, or other débris.

The ashes covered the remains of another oven floor, 10 inches below that just described (Fig. 15). It was much destroyed. Some of the flags were missing on the south side, and only three stones of the oven wall remained, about 1 foot 6 inches from the north wall. The general shape of the interior could, however, be traced by the firing on the flags, or in the puddled clay below. It was roughly elliptical and measured about 5 feet by 4 feet 3 inches (N. to S.) inside. The flags were irregular in shape and not closely fitted. The whole floor sloped towards the east like that of the oven above. The flags at the east end appeared to project beyond the fired area, as if forming a "hob" in front of the door as at Haltwhistle Burn (*Arch. Ael.*, 3rd series, vol. v., p. 247). The floor of this oven was about 2 inches above the third floor in W 1, and 14 inches above that floor in the north gate.

Less than 6 inches below, several very thin flags, evi-

Fig. 13. GENERAL VIEW OF OVENS, IN N.W. CORNER.

Fig. 14. SECOND OVEN OF THIRD PERIOD.

Fig. 15. FIRST AND SECOND OVENS OF THIRD PERIOD.

Fig. 16. OVENS, Etc., SHOWING THREE PERIODS.

dently fired, were met with. Apparently they had not formed part of an oven, but may have been a temporary hearth made at the beginning of the third period.

About 6 inches below this hearth, the top of the rough walling shown in Fig. 16, was exposed. It was 9 inches high and parallel to the west wall at a distance of 4 feet 8 inches. As far as it could be examined, the area between this walling and the outer walls was roughly flagged. There were no signs of firing on the flags, nor were ashes found upon them, or near the walls at this level. It seems clear, therefore, that in the period to which this structure belonged, this corner of the milecastle was not used for cooking purposes. The base of the walling was 5 inches below the second floor in W 1 and 12 inches above that floor in the north gate.

The walling was built upon a layer of mixed material containing ashes, burnt clay and many fired stones, which covered the remains of an earlier oven (Figs. 16 and 17). The floor was similar to that of the next oven above. The oven wall was 9 inches high at the north side. The lowest course was complete, showing an entrance 16 inches wide at the east end. The fired stones were evidently the débris of the upper courses. The interior was elliptical in shape and measured about 4 feet by 3 feet. The floor was 4 inches below the first period floor in W 1 and about 12 inches above the level 1 B in the north gate. A large quantity of wood-ashes was heaped against the north wall about 3 feet from the oven door.

The bed of clay on which the flags were laid extended from the wall of the building to the outer wall, completely "sealing" any remains below. The clay covered a layer of wood-ashes from 3 to 5 inches thick which had clearly been smoothed over before the clay was laid upon it. This layer of ashes extended from the face of the lower "step" of the wall of the building to within 9 inches of the outer wall. It can be seen in Fig. 18, and is indicated by the shading of small dots in section E F.

The ashes covered the remains of a still earlier structure. The latter could only be examined at the east side as the oven above was not removed. It appeared to be roughly circular and about 4 feet 6 inches in diameter. Though no part of the flooring remained, the presence of such a quantity of wood-ashes indicates that it was also an oven. It differed from those above in having a built base similar to that of the oven at Haltwhistle Burn. The lowest stones of the base were level with the footing-course of the wall of the building, but nearly 2 feet 6 inches above that of the outer wall. At this level, and within 4 feet of the oven, two fragments of grey pottery showing "rustic" surface decoration were found.

No further remains were found below this oven base. The subsoil was undisturbed near the wall of the building, and the filling of the foundation trench of the outer wall was of clean clay and gravel, as at other points.

It is clear that the outer wall was built before the lowest oven. It is equally clear that the internal building was in existence when that oven was replaced by the second, for the layer of ashes covered the flags of the footing-course and touched the face of the wall.

These five structures may be satisfactorily assigned to the three main periods of occupation. It has been stated that the remains of the second and fourth (last) ovens were covered with the débris of their own walls, whereas no such débris was found above the first (lowest) and third. It is therefore probable that the first and third ovens were removed purposely, being replaced at once by the second and fourth, and that the latter were in use, the one at the first destruction and the other at the final abandonment. This view is confirmed by the presence of the flagged platform, which separated the ovens below it from those above. The different purpose of this platform indicates that it belonged to a distinct period, which must clearly have been the second.

Fig. 17. SECOND OVEN OF FIRST PERIOD.

Fig. 18. FIRST AND SECOND OVENS OF FIRST PERIOD

The second oven probably replaced the first when the road-level in the north gate was raised from I A to I B. Why the third was replaced by the fourth is uncertain, but it is quite clear that both were worked from the same floor, and therefore do not represent distinct periods.

These ovens were of the same type as the " brick oven " so common even a century ago. In them, a fire of wood, laid on the floor, was lighted and kept burning until the interior was red-hot. The fire was then drawn out, the floor cleaned and the food to be cooked inserted. Since the discovery, already referred to, of the oven at Haltwhistle Burn, similar ovens in better condition have been found at Castleshaw, in 1907, and at CORSTOPITUM in 1910.

Paths and Road.

In the original arrangement, a path about 5 feet 9 inches wide, quite distinct from the central road, ran the full length of the front of each building. At the edge of the path was a course of kerbstones, faced at the outside, which developed into a low retaining-wall of three or four courses at the north end. Higher up the slope the kerbing was almost entirely removed and no traces of the south end of either path remained.

The paths were roughly terraced to correspond with the number of rooms, though the four sections were never horizontal, but sloped at about 1 in 10 to 12. The steps between them were much destroyed, but they appear to have been formed of irregular flags, with only a small rise between each step. The sloping portions probably had a gravel surface. The steps were just south of the doorway in each case, except between W 1 and W 2, where the fall was only 9 inches and the slope of the path made steps unnecessary. Some remains of steps were found south of the doorways of E 1, W 2 and W 3, and a sharp rise in the ground indicated their position in the other cases.

When the road-level 1 A was in use, the north end of each path would stand about 15 inches above it, but when the road was raised to 1 B, paths and road would be nearly level.

The width of the paths clearly suggests that there was a verandah along the front of each building, though the search for post-holes was unsuccessful. The posts may, however, have been as completely destroyed, or removed, as were the structures which retained the terraced floors inside the buildings.

Near the north end of the east path, the *fibula*, No. 1, Fig. 20, was found. Just outside the door of E 1, below a flag at the level of the first threshold, was the coin of Trajan, No. 3, Fig. 19. In the surface of the west path, between the doors of W 2 and W 3, were the coin of M. Antony, No. 1, Fig. 19, and the *fibula*, No. 3, Fig. 20, close to fragments of the bowls, Nos. 2 and 3, Plate III. Near the north end, was another portion of the *mortarium*, No. 5, Plate IV. (cp. W 1, first floor).

In the débris below the second period surface was an illegible and apparently burnt coin, assigned by Mr. Craster to the second century, and a quantity of pottery, including fragments of the Samian D. 37 bowls, Nos. 1 and 2, Plate VI., and the *mortaria*, Nos. 3, 6 and 7, Plate IV.

The central road was about 11 feet wide and followed the slope of the ground between the gates. It was constructed in the usual manner, having a foundation of rough stones, bedded in the subsoil, and a surface of gravel. It was distinctly cambered. A gutter was formed at each side of the road by the kerbing of the paths, as shown in section A B.

At the north end, the surface 1 B was merged into 1 A within 12 feet of the gate. A clay sling-bolt was found at 1 A, close to the east extension. The pottery definitely below the second period surface, within 20 feet

of the gate, included fragments of Nos. 8, 10, 14, 15 and 20, Plate III, and No. 11, Plate IV. (two).

In the northern half, the road and paths were not continued as separate features in the second and third periods, the later surfaces being uniform over the area between the buildings.

Within 3 or 4 feet of the north gate, the second period surface was flagged, but beyond it was generally of gravel. It was not well defined and became so close to the first period surface that much of the pottery found could not be accurately classified. Within about 25 feet from the south gate, it was merged into the first surface, which was retained throughout the three periods, as in the south gate, though the paths would appear to have been nearly obliterated.

The coin of Claudius Gothicus, No. 10, Fig. 19, was found near the east building, about 25 feet from the north gate, at a point where the third period flags were missing and where the second and third surfaces were indistinguishable. The definitely second period pottery included Nos. 8, 19 to 21, 25 to 27 and 33, Plate IV.

In the third period, the whole surface between the buildings was roughly flagged for about 30 feet from the north gate, beyond which the lower surface was utilized. The flagging was intact except near the east building. It was approximately level with the third floors in E 1 and W 1 (section A B), and sloped down to join the upper flagged floor (3, section G H) in the north gate.

The two coins of Maximian, Nos. 13 and 14, Fig. 19, and the *fibula*, No. 5, Fig. 20, were found between the buildings, within 10 feet of the gate and not more than 3 inches above the flags. The pottery included further fragments of Nos. 1, 2 and 6, Plate V. (cp. W 1, third floor). The coin of Constantine I. and a complete hand-mill were found in the south-east corner, between the south wall of the building and the outer wall.

Outside the north gate there was no definite continuation of the road at any level. There were no traces of pitching, like that found below the surfaces 1 A and 1 B, nor of kerbing. Above those levels, the material appeared to be débris only.

Any remains of a road from the south gate to the Military Way, 35 yards to the south, must have been entirely removed during the railway operations of 1835.

Notes on the "Finds."

Two coins, Nos. 5 and 6, Fig. 19, were overlooked at the time and recovered from the upcast later. They were fastened together, evidently as the result of burning, and were covered with burnt matter.

The Coins.

By H. H. E. Craster, M.A.

Seventeen coins were found in the Poltross Burn milecastle, of which one was an indecipherable "second brass" of the second century. The remainder are described below. Fortunately the levels at which they were found were accurately noted. The *denarius* of Mark Antony, the two *sestertii* of Trajan, one (No. 7) of the three *ases* of Faustina Senior and most probably the others (Nos. 5 and 6) also, came from the lowest or "first-period" level, the coins of Gallienus and Claudius Gothicus from the middle stratum, to which the Victorinus probably also belonged, and the later coins, together with a stray *as* of Hadrian, from the top level. Evidently the first occupation extended into the latter part of the second century, and the second occupation to the year 270, or later in the third century.

The value of the historical evidence given by these coins is enhanced by the fact that the coins previously found in milecastles along the line of the Roman Wall have been practically unrecorded. The Cawfields milecastle produced a *denarius* of Vespasian and another of

Marcus Aurelius (*Arch. Ael.*, 1st series, vol. iv., p. 59). In regard to the Housesteads milecastle we have to be content with the vague statement that "coins of Hadrian and Antoninus Pius were found" (Bruce, *Roman Wall*, 3rd edition, p. 162). The other milecastles hitherto excavated either produced no coins, or the coins were not noted.

We have, however, a full list of the coins discovered in the recent excavation of Winshields milecastle, and the coins from its second and third levels give a close and interesting parallel to those found on the corresponding levels at Poltross Burn, viz. :—

Poltross Burn.		Winshields.	
Hadrian	1	Claudius Gothicus ...	1
		Victorinus	1
Gallienus	1	Tetricus	1
Claudius Gothicus ...	1	Carausius	1
Victorinus	1	Diocletian	1
Diocletian	2	Maximianus... ...	1
Maximianus... ...	2	Galerius	1
Constantius Chlorus...	1	Constantine the Great	1
Constantine the Great	1	Constantine junior ...	1

In each case the latest coin is one struck at the London mint between the years 317 and 324. When we take into consideration the extremely common occurrence, in the camps on the Wall, of later Constantinian coins and coins of the house of Valentinian, the absence of such later coins from both these milecastles can hardly be treated as accidental. The presence in both milecastles of several *folles* (large copper coins distinguished by the laureated head of the emperor) points in the same direction. *Folles* first came to be minted at the time of Diocletian's monetary reform of A.D. 295–6. They ceased to be issued in the western provinces of the Empire in 315 when Constantine introduced the *nummus centenionalis*,

a copper coin of much smaller size and weight. The natural tendency, formulated in Gresham's law, for bad money to drive out good, operated upon this as on other occasions. Hence the fecundity of most Roman sites in small Constantinian coins, while the Diocletian *follis* is comparatively rare.

On the neighbouring site of CORSTOPITUM hundreds of examples of the *nummus centenionalis* have been found, while the total number of *folles* hitherto discovered there is only five. Yet the handful of coins from these two milecastles furnishes no fewer than eight specimens.

Such evidence as we have seems to point to the Poltross Burn milecastle being finally abandoned after the year 320, but before 330, since at the latter date the debasement of the coinage had been proceeding long enough, and had become sufficiently marked, for the bulk of the Diocletian coinage to have given way to the new and inferior currency. The same must be true of Winshields, and the conclusion therefore suggests itself that Constantine may have carried out, in the latter part of his reign, a change in the frontier system which involved the disuse of milecastles.

The only one of the coins that calls for special comment is that of Constantine the Great (No. 16). This is a London-minted coin bearing upon its reverse the Christian emblem of the cross ; a minor variety of such rarity that the use of Christian emblems in the London mint has been called in question ; and the only recorded specimens are a coin of Constantine II. in the British Museum, one of Crispus found in 1909 at CORSTOPITUM, and the present example. All these coins have the same reverse, and form part of the same issue, but the obverse is in each case different. The obverses are :—

IMP CONSTANTINVS AVG. Helmeted and cuirassed bust left, holding spear over left shoulder ; a plume in the helmet. Poltross Burn milecastle.

FL IVL CRISPVS NOB CAES. Laureated and draped bust right. CORSTOPITUM.

FL CL CONSTANTINVS IVN N C. Radiated and cuirassed bust left. British Museum.

For a note on this variety and its significance, see *Arch. Ael.*, 3rd series, vol. vi., p. 253.

COIN TABLES.

No.	Obverse.	Reverse.	Remarks.
		Silver.	
		MARK ANTONY.	
1	ANT . AVG III . VIR . R . P . C Galley.	LEG VI Legionary eagle between standards.	Denarius; B.C. 32-31; eastern mint; well worn.
		Bronze and Copper.	
		TRAJAN.	
2	IMP CAES NERVAE TRAIANO AVG GER DAC PM TR P COS V P P Laureated bust r.	S P Q R OPTIMO PRINCIPI S C Fortune standing l. with rudder and cornucopia.	Sestertius; A.D. 104-111; Cohen 477; good preservation.
3	Similar.	S P Q R OPTIMO PRINCIPI S C Rome helmeted seated l. on pile of arms.	Sestertius; A.D. 104-111; Cohen 391.
		HADRIAN.	
4	IMP CAESAR TRAIANVS HADRIANVS AVG Laureated bust r.	Indecipherable.	As; *circa* A.D. 117-119.
		FAUSTINA (Senior?).	
5	Inscription illegible; draped bust r.	Indecipherable.	As; shows traces of burning.
		FAUSTINA SENIOR.	
6	DIVA FAVSTINA Draped bust r.	AETERNITAS S C Aeternitas standing l., raising r. hand and holding sceptre.	As; after 141 A.D.; Cohen 29; shows traces of burning.

No.	Obverse.	Reverse.	Remarks.
7	Similar.	Similar.	As; after 141 A.D.; Cohen 29; coated with burnt matter.
	GALLIENUS.		
8	GALLIENVS AVG Radiated head r.	DIANAE CONS AVG Deer moving r. and looking back; mint-mark (in exergue) ϵ	*Circa* A.D. 266-268; struck at Rome; Cohen 154.
	CLAUDIUS GOTHICUS.		
10	IMP CLAVDIVS AVG Radiated and cuirassed bust r.	ANNONA AVG Annona standing l. holding ears of corn and cornucopia; no mint-mark.	A.D. 269; struck at Rome; Cohen 21.
	VICTORINUS.		
9	VICTORINVS P F AVG Radiated and draped bust r.	INVICTVS The Sun-god running to l., raising r. hand and holding whip in l.; a star in the field.	Struck in Gaul; A.D. 268-270; Cohen 50.
	DIOCLETIAN.		
11	IMP DIOCLETIANVS AVG Laureated and cuirassed bust r.	GENIO POPVLI ROMANI Genius standing l. holding patera and cornucopia.	No mint-mark; Follis, probably of Trier or London mint; A.D. 296-305; Cohen 87.
12	IMP DIOCLETIANVS P F AVG Laureated and cuirassed bust r.	M SACRA AVGG ET CAESS NN Moneta standing l. holding scales and cornucopia.	Mint-mark $\frac{\text{I*}}{\text{A T R}}$ Follis from Trier mint; A.D. 305-306; Cohen 345; good preservation.
	MAXIMIANUS HERCULEUS.		
13	IMP C MAXIMIANVS P F AVG Laureated and cuirassed bust r.	GENIO POPVLI ROMANI Genius standing l. holding patera and cornucopia.	No mint-mark; Follis, probably of Trier or London mint; A.D. 296-305; Cohen 180.
14	Similar.	Similar.	Same as last.
	CONSTANTIUS CHLORUS.		
15	CONSTANTIVS NOB C Laureated and cuirassed bust r.	Similar.	No mint-mark; Follis, probably of Lyons mint; A.D. 296-305; Cohen 71; good preservation.

Fig. 19. THE COINS ($\frac{3}{4}$).

Fig. 20. THE FIBULAE ($\frac{5}{6}$).

No.	Obverse.	Reverse.	Remarks.
	CONSTANTINE THE GREAT.		
16	IMP CONSTANTINVS AVG Helmeted and cuirassed bust l. holding spear over l. shoulder; a plume in the helmet.	VICTORIAE LAETAE PRINC PERP Two Victories placing on an altar a shield inscribed VOT P R; on the face of the altar a cross within a wreath.	Mint-mark P L N; silvered nummus centenionalis of the London mint and bearing Christian emblem; A.D. 317-324; variety of Cohen 638; fair preservation.

The Fibulae.

Fig. 20. 1—Bronze harp-shaped bow fibula; length, without ring, $2\frac{1}{4}$ inches; flat circular knob at foot, decorated collar-mouldings at middle of bow and trumpet-shaped head; no enamel decoration; spiral spring coiled on both sides of single lug cast solid with head; movable ring; sheath has been broken and repaired by rivetting bronze plate on original sheath-plate. First level; north end of east path. Type in use until about 175 A.D. See Curle, *Newstead Report*, p. 321; *Yorks. Arch. Journal*, vol. xxi., p. 148; *Arch. Ael.*, 3rd series, vol. v., p. 400.

2.—Bronze fibula, same general type as No. 1; length, without ring, $2\frac{3}{8}$ inches; mouldings at middle of bow not carried round flat underside of bow; between mouldings and foot, bow decorated with enamel of yellowish colour; head box-shaped and hollow, enclosing spiral spring coiled on cross-pin fixed in sides; ring cast solid with head. First level; W 1.

3.—Bronze bow fibula; length, without remains of ring, $1\frac{5}{8}$ inches; bow decorated with enamel (decayed) in lozenge pattern; circular ornamental stud near head (survival of stud securing end of spring in original form of this type); head grooved to represent coiled spring; no spiral spring, pin being simply hinged; ring cast solid with head. First level; west path. Type in use as late as Nos. 1 and 2. A fibula exactly the same as No. 3 in

details of pin, decoration, etc., was found with pre-Hadrianic coins and pottery at CORSTOPITUM in 1910. Also see Curle, *Newstead Report*, p. 323.

4.—Bronze bow fibula ; length $2\frac{3}{4}$ inches ; sheath-plate pierced, forming step pattern ; bow undecorated ; spiral spring protected by box-shaped cover and coiled on cross-pin fixed in ends of cover. Level uncertain ; found in material of waggon-way. Type probably in use as late as Nos. 1–3. See Curle, *Newstead Report*, p. 318.

5.—Bronze cross-bow fibula (bent when found) ; length originally about $2\frac{1}{8}$ inches ; tubular sheath ; plain collar-moulding on bow and at ends of arms ; decoration of circles on sheath, bow and head ; bronze pin, hinged ; iron cross-pin through arms. Third level ; between buildings, near north gate.

6.—Base silver cross-bow fibula ; length $2\frac{1}{4}$ inches ; tubular sheath ; bow square in section and undecorated ; plain collar-moulding on arms and knob ; bronze pin, hinged ; iron cross-pin through arms. Third level ; W 1.

Objects of Bronze, etc.

Fig. 21. 1.—Mounting ; silvered surface ; attached, probably to leather, by two studs ; level uncertain.

2.—Buckle ; iron cross-pin ; third level, E middle.

7.—Mounting ; attached, probably to leather, by single stud ; first level, between north gate and oven.

8.—Handle of *patella* ; level uncertain, north-east corner.

9.—Pierced ornamental mounting ; attached, probably to leather, by two studs ; first level, W 1.

10 and 11.—*Lorica*-scales ; length, $1\frac{1}{8}$ inches ; silvered surface ; second level, W 1.

12.—Six *lorica*-scales ; length, 1 inch ; first level, between north gate and oven.

13.—Harness ring ; attached by two studs ; much worn by strap ; second or third level, W middle.

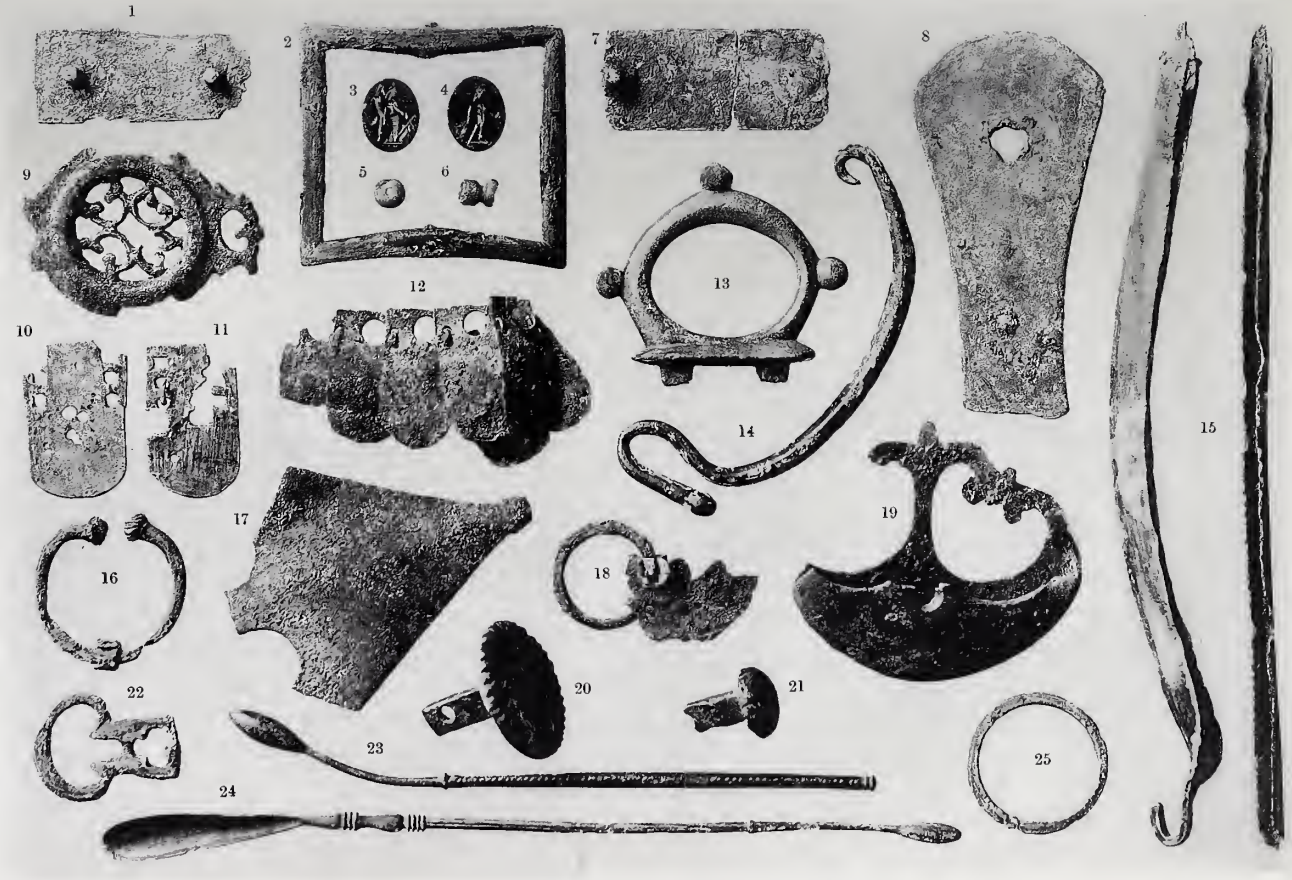


Fig. 21. OBJECTS OF BRONZE, Etc. (3/4).

14.—Handle of box, or jar; bow square in section; level uncertain.

15.—Guard, or sheath, for edge of large cutting implement (broken when found); length, $11\frac{3}{4}$ inches; has been broken and soldered together close to point of modern fracture; hook at other end missing; level uncertain, found outside south-east corner. Guards of this type have not been previously noted on the line of the Wall.

16.—Penannular brooch; pin missing; level uncertain.

17.—Ornamental plate; silvered surface; level uncertain, found outside north gate.

18.—Remains of lid, with lifting-ring; first level, W 1.

19.—Chape of sword-sheath; second level, W 1.

20.—Button, or fastener, probably for leather strap; first or second level, between north gate and ovens.

21.—Stud; cp. No. 20; level uncertain.

22.—Buckle, for narrow strap; pin and strap attachment missing; level uncertain. For complete example, see *Arch. Ael.*, 3rd series, vol. v., p. 409.

23.—Surgical instrument; length, $4\frac{1}{2}$ inches; roughened grip; level uncertain.

24.—*Ligula;* length, $6\frac{1}{8}$ inches; inside surface of spoon gilt; level uncertain, found outside north wall, east of gate.

25.—Ring; level uncertain.

A small mass of run lead was found.

Intaglios. Fig. 21, 3.—Hard dull red stone, unpolished; Fortune with rudder and cornucopia; second level, E 1.

4.—Similar stone, polished; a genius (?); second or third level, north-east corner.

Stone.

1.—Roughly dressed yellow sandstone pillar, hypocaust type, unfired; height, 14 inches, section $7\frac{1}{2}$ inches by 6 inches; body roughly reduced about middle for 7 inches; second level, north gate.

2.—Unfinished and uninscribed altar, yellow sandstone; intended finished size about 14½ inches high by 7½ inches by 5 inches; base reduced to 4 inches by 3 inches by 1 inch, to fit into separate base; top, sides and lower half of face rough; upper half carefully dressed, showing plain band, 2 inches, and ogee moulding, 1¾ inches, with space for inscription below; second level, north gate.

3.—Chisel-dressed yellow sandstone pillar, hypocaust type, unfired; height, 14 inches, section, 9 inches by 8 inches; capital and base 4 inches high, remainder of body reduced to about 8 inches by 6½ inches; second level, W 1.

4.—Lamp, yellow sandstone; roughly circular body, 5 inches diameter, 2 inches thick, curved on underside, one projection 1 inch long for wick; oil reservoir 3¼ inches diameter, ⅞ inch deep, hole for wick 1¼ inches diameter, the two connected by a small channel; second or third level, W middle.

5.—Roughly rounded sandstone ball, diameter about 4 inches; two grooves cut at right angles round circumference apparently for attachment of cord; probably a weight; level uncertain.

6.—Hand-mill; upper stone, yellow sandstone, beehive type; diameter 13 inches, height 6 inches; two handle-holes; grinding surface much worn: lower stone, grey granite; diameter 15 inches; probably third level, south-east corner.

7.—One half upper millstone, yellow sandstone, ordinary flat type; diameter 15½ inches; second level, E 1.

8, 9 and 10.—Fragments of three upper millstones, yellow sandstone; each, diameter 17 inches; levels uncertain, one from E middle.

No inscribed stones were found.

Iron.

1.—Joiner's hammer (?); length 7¼ inches, about 1 inch square in section, with rounded edges; large claw at one end apparently for extracting nails; first level, E 1.

2.—Pickaxe; length about 15 inches originally; axe portion $8\frac{1}{2}$ inches long, width of cutting edge about $4\frac{1}{4}$ inches; pick point broken; second level, E 1.

3.—Heavy hammer, apparently for dressing stone; length $7\frac{3}{4}$ inches, section at middle 2 inches by $1\frac{3}{4}$ inches, tapering to point at one end and to cutting edge $1\frac{1}{4}$ inches wide at other; hole for handle 1 inch diameter; cutting edge parallel to handle; first level, about middle of west path.

4.—Fork-shaped object, originally with two prongs, one missing, possibly for guiding rope or strap; full length $10\frac{1}{4}$ inches, prong $5\frac{3}{4}$ inches, shank for fixing into handle, or rest, $3\frac{3}{4}$ inches, space between prongs $1\frac{1}{4}$ inches; signs of wear at base of prongs; level uncertain.

5.—Knife; blade $5\frac{1}{2}$ inches long, $1\frac{3}{8}$ inches wide, tapering to point; shank $2\frac{1}{2}$ inches long; level uncertain.

6.—Socket, head missing; length $6\frac{1}{2}$ inches, to fit shaft about $1\frac{1}{2}$ inches diameter; first level, E 3.

7.—Spear head; length 6 inches; blade, $3\frac{3}{4}$ inches by $1\frac{3}{8}$ inches; first level, E 3.

8.—Spear head; length $7\frac{1}{2}$ inches; blade $4\frac{1}{2}$ inches by $1\frac{1}{2}$ inches; first or second level, near ovens.

9.—Spear head; length 8 inches; blade 5 inches by $1\frac{1}{2}$ inches; first level, W 1.

10.—Spear head; length 5 inches; level uncertain.

11.—Spear head; blade $2\frac{1}{2}$ inches by 1 inch, solid shank $2\frac{1}{2}$ inches long, instead of hollow socket.

12 and 13.—S-shaped hooks, probably used for suspending cooking-pots or other articles.

14.—Blades of pair of shears, spring bow missing; each blade about $2\frac{1}{2}$ inches by 1 inch, tapering to a point.

Several nails of medium and small size were also found.

All the objects were much corroded. Where possible, they are being "reduced" by Krefting's method, by Mr. H. A. Auden, M.Sc., D.Sc. of Liverpool.

Glass.

Six fragments of window glass were found, all at the first level. The difference in the grain of the rough surface indicates that they came from different sheets. One piece is flaked to a sharp edge on one side, like the edge of a flint implement. There were several fragments of a very thin vessel, and portions of two long and narrow bottle-necks. Two small beads were found, Fig. 21, Nos. 5 and 6. No. 5 is of green glass; second level, E 1: No. 6 of blue glass-paste; level uncertain.

Tiles.

Five fragments of *tegulae* and two of *imbrices* were found, mostly below the second level. There were also three fragments of one flue (box) tile, and one pillar tile measuring $7\frac{1}{2}$ inches by $7\frac{1}{2}$ inches by 2 inches.

Pottery.

Portions of nearly 300 vessels were found. The shape and use of over 250 could be ascertained, and the fragments of these have been deposited in the Museum at Tullie House, arranged in the order given below. Sectional elevations of 100 vessels are shown on Plates III., IV. and V. No whole vessels were found, all the sections being drawn from fragments. Broken lines indicate the probable shape of the vessel beyond the portion supplied by the fragments. The decorated Samian is shown on Plate VI.

The number of vessels of each main type is as follows:—Bowls, other than *mortaria*, 22; *mortaria*, or *pelves*, 21; jars, other than cooking-pots, 76; cooking-pots, 63; vases or urns (*i.e.* large jars, average height 10 inches), 9; bottles, or jugs, single-handled, 19; dishes, or plates, 14; Castor ware, small vases, 3; Samian ware, decorated vessels, 10; plain, 10; large two-handled storage vessels, globular type, 6 or 7.

The distribution of the vessels is as follows :—17 appear to belong to the earlier part of the first period ; 49 found mostly in first-period débris ; 45 uncertain, first and second, from between buildings, northern half ; 32 in second-period débris ; 11 uncertain, second and third ; 50 in third-period débris ; and 43 uncertain, mostly from southern portion of interior, clearly including vessels of all three periods.

The diameters given refer to the outside measurement of the rim in each case.

Unglazed Wares.

Early First Period.

Bowls (8). Plate III., Nos. 1–6. No. 1, diameter 6¼ inches, light grey, dark surface wash inside and on rim ; grooved rim, double hollow mould at bend in side ; W 1. No. 2, diameter 7¾ inches, dark brown, traces of dark surface wash ; grooved rim ; west path. No. 3, diameter 7¼ inches, grey ; grooved rim ; west path. No. 4, diameter 8⅜ inches, brown ; plain rim ; lattice decoration on side above bend ; W 2. No. 5, diameter 7⅜ inches, grey ; plain rim ; W 2. No. 6, diameter 7⅛ inches, grey ; plain rim ; west path, or road. One, not drawn, diameter 7 inches, red ; similar to No. 4 without lattice decoration ; W 1.

Bowls of this type are generally associated with first century sites. It is now clear that they continued in use until the time of Hadrian, though apparently not as late as 140 A.D. They have not been found in the forts on the Antonine Wall, nor in connection with the Antonine occupation of Newstead (Curle, *Newstead Report*, p. 249).

Plate IV., No. 4, diameter 8½ inches, brown-red ; similar to three bowls from Haltwhistle Burn (*Arch. Ael.*, 3rd series, Plate V., No. 3) ; W 1 and north gate, level 1 A.

Mortaria (2). Plate IV., No. 5, diameter 10¼ inches, brown, cream surface wash ; W 1 and west path. Frag-

ment of base of similar vessel; transparent grit; north gate, level 1 A.

Jars (3). Two fragments of same vessel; grey, "rustic" surface decoration; between north gate and lowest oven. "Rustic" ware is usually associated with first century remains (Curle, *Newstead Report*, p. 247). Fragments of one or two "rustic" jars were found in the Fort to the south-west of the milecastle in 1910. Plate III., No. 24, diameter $5\frac{3}{8}$ inches, brown-red body, black surface; W 1 and W 2. Plate III., No. 26, diameter $4\frac{5}{8}$ inches, grey, blackened surface; roughly wheel-made; E 3, near hearth, below first floor. The details of this jar are typical of most of the first period jars Nos. 12–21.

Bottles, or jugs, single-handled (4). Two, type Plate IV., No. 11, brown, cream surface wash (?); north gate, level 1 A. One, same type, white; W 1. One, type not drawn, grey brown; sides of mouth pinched together to form spout; east side of road, near north gate, level 1 A; cp. Curle, Newstead, Fig. 33, No. 9, and Melandra Castle, Plate V., No. 4.

First Period (mostly in Débris).

Bowls (5). Plate III., Nos. 7–10. No. 7, diameter $7\frac{1}{2}$ inches, brown-red, hard; cp. Melandra Castle, Plate IV., No. 10. No. 8, diameter $8\frac{3}{4}$ inches, light brown, soft; road, near north gate; cp. Samian bowl from Newstead, Plate XL., No. 20. No. 9, diameter $6\frac{1}{8}$ inches, light brown, hard; E 1. No. 10, diameter 7 inches, light red, soft; road, near north gate; cp. No. 9, or Haltwhistle Burn, Plate V., Nos. 18 and 19. One base, grey.

Mortaria (6). Plate IV., 1–3, 6 and 7. Grit, white (opaque), or transparent. No. 1, diameter $10\frac{3}{8}$ inches, brown-red, cream surface wash originally; leaf pattern stamp on rim (twice); W 2. No. 2, diameter $10\frac{1}{8}$ inches, light brown, cream surface wash; found outside north wall, at level of offset, close to fragment of Samian, Drag.

27. No. 3, diameter $10\frac{1}{8}$ inches, cream ; has been broken and repaired by rivetting ; west path. No. 6, diameter $10\frac{1}{4}$ inches, brown, cream surface wash ; west path. No. 7, diameter $9\frac{3}{4}$ inches, red body, blue surface (due to over-firing ?) ; illegible name-stamp on rim ; west path. One base, cream ; road, near north gate.

Jars, special types (3). Plate III., Nos. 25, 27 and 28. No. 25, diameter $2\frac{1}{8}$ inches, hard red body, black surface ; lower portion decorated with incrustation of fine grit ; W 3 ; cp. Haltwhistle Burn, Plate V., No. 7. No. 27, diameter $4\frac{1}{2}$ inches, brown, soft ; probably had lid originally ; W 1. No. 28, diameter $3\frac{1}{2}$ inches, light brown body, grey surface ; west path.

Jars, ordinary types (14). Plate III., Nos. 12–21. These vessels are roughly wheel-made, with bases generally moulded like that of No. 26, and sides undecorated. The clay, except that of No. 12, is somewhat coarse. No. 12, diameter $5\frac{7}{8}$ inches, dark grey, fine, hard ; moulded base ; W 2. Nos. 13–16, 20 and 21, diameters $4\frac{3}{4}$–$5\frac{3}{8}$ inches, light grey, dark surface ; Nos. 17–19, diameters $4\frac{7}{8}$–$5\frac{3}{8}$ inches, light brown ; No. 13 from E 2, Nos. 14, 15 and 20 from road, near north gate, and remainder from E 1, W 1, W 2 and paths.

Cooking-pots (7). Plate III., Nos. 22, 23, 29 and Plate IV., No. 32. This type was used throughout the first and second periods, but was practically superseded by the type, Plate V., Nos. 6–15, in the third. The clay contains a large proportion of very fine grit. The ware is either black throughout, or the body grey (or reddish), with a black coating on the surface. The uniform black body colour is produced by fuming vessels of ordinary clay in dense black smoke at the end of the firing process ; and the black coating by dipping the vessels, in biscuit state (after first baking), in a solution of black iron oxide and refiring at a lower temperature (May, *The Roman Pottery in York Museum, Part III. ; Report of York Phil. Society*, 1910, p. 7).

The rim appears to have been finished on the wheel, but the vessels do not show the internal grooving common to ordinary wheel-made vessels. The base, which is quite plain, and the lower part of the body, have a uniform thickness, usually less than $\frac{3}{16}$ inch. About half the body is decorated with a lattice pattern on a rough ground, the remaining surface and the rim being roughly burnished. There is often a zigzag decoration on the neck below the rim.

Average diameter 5 inches, but No. 22, $6\frac{1}{4}$ inches; cp. Newstead, Fig. 28, Nos. 1–10. No. 23, uncommon type, diameter $5\frac{1}{4}$ inches, black, bright surface. No. 29, diameter $4\frac{5}{8}$ inches, grey, bright black surface; handle-hole formed by pressing in side of vessel; W 2. In some cases, lifting holes have been drilled through the rims.

Vase, or urn (1). Plate III., No. 11, diameter $4\frac{1}{8}$ inches (body, $8\frac{3}{8}$ inches), black, hard; band of lattice decoration between double hollows; cp. Newstead, Plate XLVII., No. 38 (pre-Antonine).

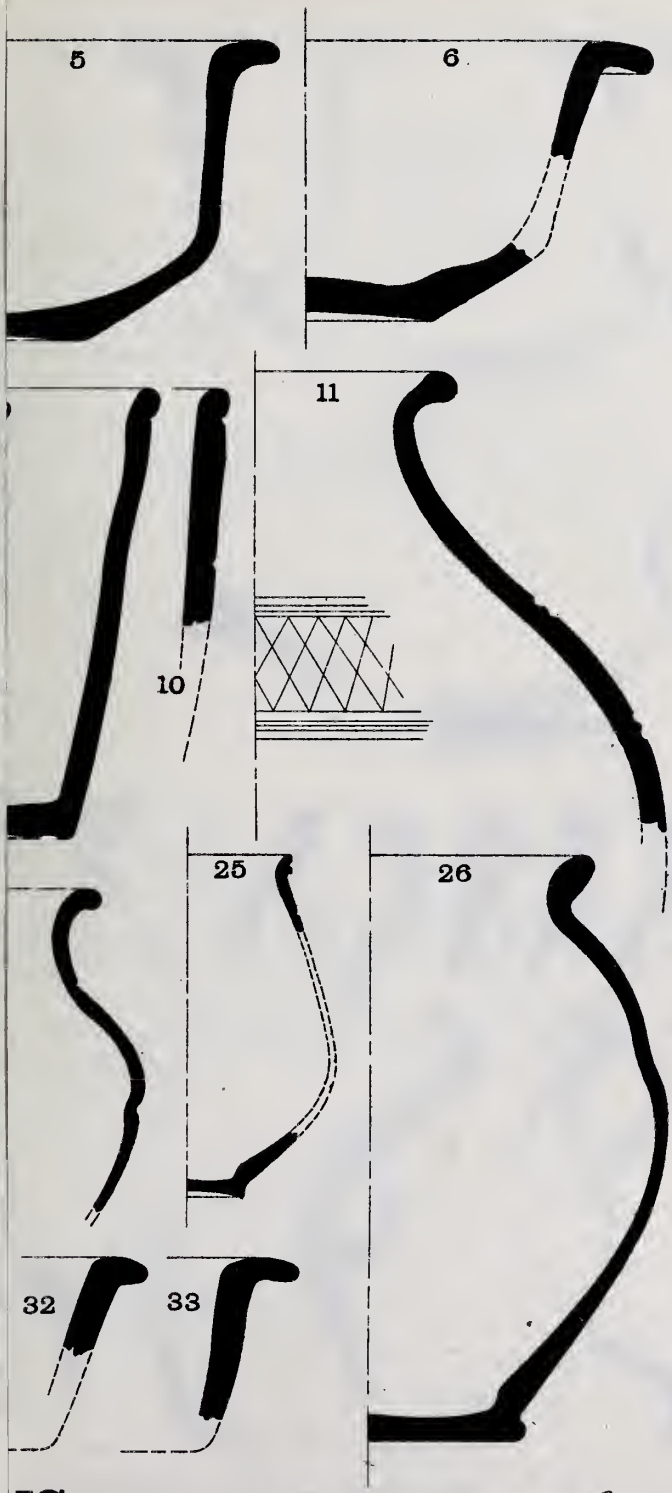
Bottles, or jugs, single-handled (4). Type Plate IV., No. 11. One, red, cream surface wash; road, near north gate. One, brown, cream surface wash; road, near north gate. Plate IV., No. 12, cream; W 3. One base, buff, hard; W 1.

Dishes, or plates (6). Plate III., Nos. 30–33. All of "cooking-pot ware," and usually decorated with lattice pattern. No. 30, diameter $7\frac{1}{4}$ inches, black. No. 31, diameter 7 inches, grey, black surface. No. 32, three, average diameter 8 inches, grey, black surface. No. 33, diameter $8\frac{1}{2}$ inches, black, bright surface..

Uncertain, First and Second.

Bowls (2). One rim, type Plate III., No. 9, brown. One moulded base, red, hard.

Mortaria (2). Plate IV., No. 9, diameter $9\frac{1}{4}$ inches, brown; outside north gate. One rim, type Plate IV., No. 7, brown-red.



NS SCALE: HALF SIZE J.G.S.

Jars (21). Of these, six approximate to the first period types, in section, clay and finish, and eight to the second period types Plate IV., Nos. 19, and 22–28, described below. The remainder include Nos. 39 and 40 and several bases.

Cooking-pots (10). Type Plate IV., No. 32.

Bottles, or jugs, single-handled (6). One, type Plate IV., No. 11, light brown, cream surface wash (?). Plate IV., Nos. 15, 17 and 18, brown red, cream surface wash (?). One base and one handle (different). Plate IV., No. 35, diameter $5\frac{1}{8}$ inches, dark grey, hard ; cp. Newstead, Plate XLIX., B., No. 3.

Second Period.

Bowls (2). Plate IV., No. 33, diameter $6\frac{3}{4}$ inches, whitish, hard ; zigzag decoration on side in brown paint ; road, near north gate. One, type Plate V., No. 19, diameter 6 inches, grey.

Mortaria (2). Plate IV., Nos. 8 and 10. Grit, white (opaque), or transparent. No. 8, diameter $9\frac{3}{8}$ inches, red, soft ; moulded base ; road. No. 9, diameter $12\frac{1}{4}$ inches, brown-red, hard, hematite surface wash ; W 1.

Jars (14). Plate IV., Nos. 19, 22–28, 30, 31, and 41. The second period jars are distinctly superior to those of the first in quality of clay and workmanship. The clay is generally free from grit. The colour is light grey, or a grey-blue not met with in the earlier vessels. The change in the type of rim is distinct. The bases found are mostly plain, but the sides are often decorated with the lattice pattern. Diameters $4\frac{1}{4}$ inches (No. 27) to $5\frac{1}{2}$ inches (No. 23) ; Nos. 19 and 25–27 from road, northern portion, rest from E 1 and W 1. No. 28, two, diameter $4\frac{5}{8}$ inches, "cooking-pot ware," reddish body, black surface ; wheel-made ; E 1. No. 30, diameter $3\frac{3}{8}$ inches, light grey, gritty ; single handle (?) ; E 1 ; cp. Newstead, Fig. 31, p. 256. No. 31, diameter $4\frac{7}{8}$ inches, black body, white

surface, hard; lattice decoration; W 1. No. 41, three, average diameter $3\frac{3}{8}$ inches, grey, gritty; two from W 1.

Cooking-pots (3). Type Plate IV., No. 32.

Vases, or urns (4). Plate IV., Nos. 20, 21, 29 and 34. No. 20, diameter $3\frac{7}{8}$ inches, grey-blue, hard; road, near north gate. No. 21, diameter $5\frac{1}{8}$ inches, grey-blue, hard; road, near north gate. No. 29, diameter 4 inches, grey-blue, hard; road. No. 34, diameter $6\frac{3}{8}$ inches, grey, soft, gritty; W 1.

Bottles, or jugs, single-handled (3). Plate IV., Nos. 13, 14 and 16. No. 13, brown, cream surface wash (?); road, near north gate. Nos. 14 and 16, light-red; E 1.

Dish, or plate (1). Plate IV., No. 42, diameter $8\frac{5}{8}$ inches, dull red; W 1.

Uncertain, Second and Third.

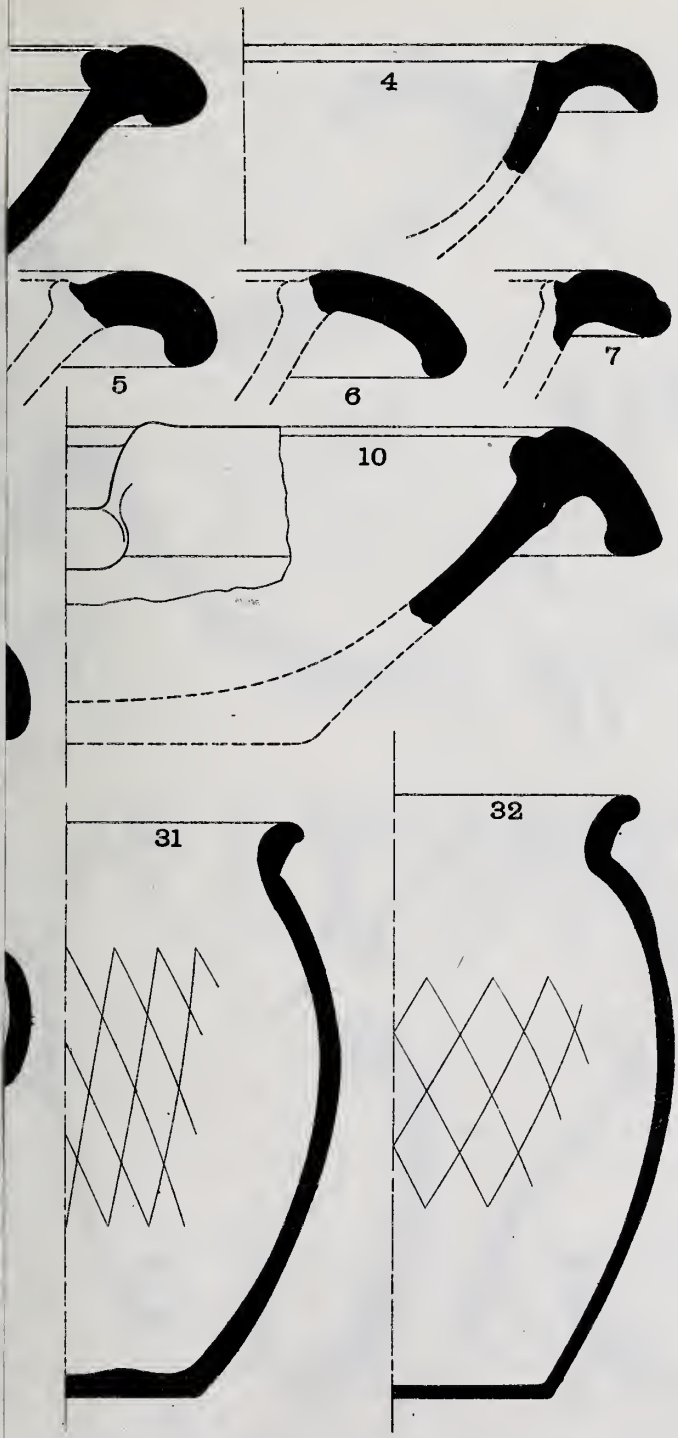
Jars (3). Types Plate IV., Nos. 22–27, grey, hard.

Cooking-pots (7). Type Plate IV., No. 32.

Third Period.

Bowls (2). Plate V., Nos. 18 and 19. No. 18, diameter 9 inches, grey body, blackened surface; W 1. No. 19, diameter 6 inches, light brown.

Mortaria (6). Plate V., Nos. 1–4. This type, usually called the "hammer-head," appears to have been in use in the third period only, at this milecastle. The flange, which was distinctly curved in the first period, became flatter and more inclined in the middle types (Plate IV., Nos. 8 and 9) and finally almost flat, except for the characteristic reeding or grooving, and nearly vertical, as in Plate V., No. 4. The spout is very small, being merely a depression in the rim and quite different from the prominent spouts of the earlier types. The grit is also different, being coloured (red, blue or brown), or black, but not white, or transparent. The grooving is an almost invariable feature.



IONS SCALE: HALF SIZE F.G.S.

No. 1, diameter $10\frac{1}{8}$ inches, cream, hard ; W 1 and road. Base of similar vessel ; road. No. 2, diameter 10 inches, light red, cream surface wash ; W 1 and road. No. 3, diameter 10 inches, pink body, white surface ; W middle. No. 4, diameter 10 inches, white ; found in Vallum Ditch. Rim and side, similar to No. 4, white ; W middle.

Jars (7). Three, type Plate IV., Nos. 22–24, grey. Four, type Plate V., No. 5, diameters $4\frac{1}{2}$–5 inches, light grey, gritty, similar to cooking-pots type Plate IV., No. 32, but without black surface ; lattice decoration on body.

Cooking-pots (29). Four, type Plate IV., No. 32 ; twenty-five, Plate V., Nos. 6–17. The latter belong to an entirely different type, which appears to have been in use in the third period only, at this milecastle and also at Winshields. The vessels are usually larger than those of the earlier type, the height being from 8–10 inches. Two, Nos. 12 and 14, had very large mouths, the rim diameters being $7\frac{1}{4}$ inches (No. 12) and $7\frac{3}{4}$ inches (No. 14), but the heights could not be ascertained. No. 6, diameter $6\frac{3}{8}$ inches, is typical of the shape and proportions of the bodies and bases. The rims vary considerably ; Nos. 7–9, 16 and 17, are uncommon, there being only one example of each : Nos. 6 and 13–15, with a groove inside the mouth, and usually a prominent shoulder below the neck, are represented by ten examples, and Nos. 10–12, without groove and shoulder, by nine. The sides are often undecorated, but when present the decoration consists of horizontal grooves (No. 6), instead of the familiar lattice pattern. The vessels are hand-made, though the rim and upper part of the body has been finished on the wheel.

The clay is coarse, and the surface of the fragments is usually full of small cavities. In several cases, however, the surface is not pitted, but the clay contains a large proportion of white grit, which is also found in the body of the pitted fragments. Mr. W. McD. Mackey of Leeds, who has examined several pieces of this pottery, informs

us that the grit is limestone, which must have been mixed with the clay by the potters, and which, in the majority of cases, has been dissolved by the continued action of water containing carbonic acid. The grit was entirely removed from one fragment by soaking in a 10 % solution of hydrochloric acid.

The colour is dull black, or grey with a black surface, but the lower part of the body is usually light brown on the outside, as the result of firing.

Vase, or urn (1). One, light grey, gritty ; rim missing, moulded base ; wave pattern decoration on body ; W 1.

Dishes, or plates (3). Plate V., Nos. 21 and 22. No. 21, two, diameter 7¼ inches, whitish, hard. No. 22, diameter 8 inches, whitish, grey surface.

Uncertain.

Bowls (3). One, type Plate IV., No. 4, cream. One, type Plate V., No. 18, grey. Plate V., No. 20, reddish, hard, gritty, black surface.

Mortaria (3). Two spouts, brown ; first or second period type ; outside north wall, east of gate. One base, brick-red ; first or second.

Jars (11). Three, first period types ; eight, second or third.

Cooking-pots (7). Four, type Plate IV., No. 32 ; Plate V., two type No. 6, one type No. 11.

Vases, or urns (3). Plate IV., Nos. 36–38. The raised bead below the neck indicates that they probably belong to the first period. No. 36, diameter 7 inches, grey, traces of blue surface wash ; zigzag decoration and traces of red colouring on band between bead and hollow ; cp. Newstead, Fig. 25, No. 15. No. 37, diameter 4½ inches, grey ; moulded base. No. 38, diameter 5 inches, red, soft.

Bottles, or jugs, single-handled (2). Two bases, buff, with cream surface wash ; moulded.

Dishes, or plates (4). Three, type Plate III., No. 32. One, type Plate IV., No. 42, grey, soft, gritty.

Castor Ware.

Small vases (3). One base, white, light red surface; W 1. One rim, white, black surface; uncertain. One base, grey, black surface; uncertain.

Plain Samian.

Cups (2). One, type Drag. 27, diameter 4 inches; outside north wall, east of gate, at level of offset; probably early first period. One, type Drag. 33, first or second period, road.

Bowls (2). One, type Newstead, Plate XL., No. 21; cp. CORSTOPITUM (*Arch Ael.*, 3rd series, vol. v., p. 419); first or second, road. One, type Drag. 38; second or third, road.

Dishes, or plates (6). All type Drag. 31. One, first or second. Two, third, W 1 and road. Three, uncertain, south end.

Decorated Samian.

By Professor R. C. Bosanquet.

Plate VI.—1. Two fragments of a small 37 bowl, diameter 6½ inches. Glaze perished; where it survives, it is dark red. Narrow blank band. Egg-and-tassel border, the tassels ending in a star. Below this a zigzag line. Similar zigzags divide the field into panels. Where they meet the bordering zigzag above or below, the junction is covered by a trefoil ornament.

Design, in panels from the left. (1) Nude man runs l. Further l. another figure effaced. In field, a double reel ornament; (2) Below, smaller panels, one containing a full-face mask; this appears also on the smaller fragment; (3) Warrior looking l., wearing helmet and cuirass, and holding small round shield; r. arm raised as though lean-

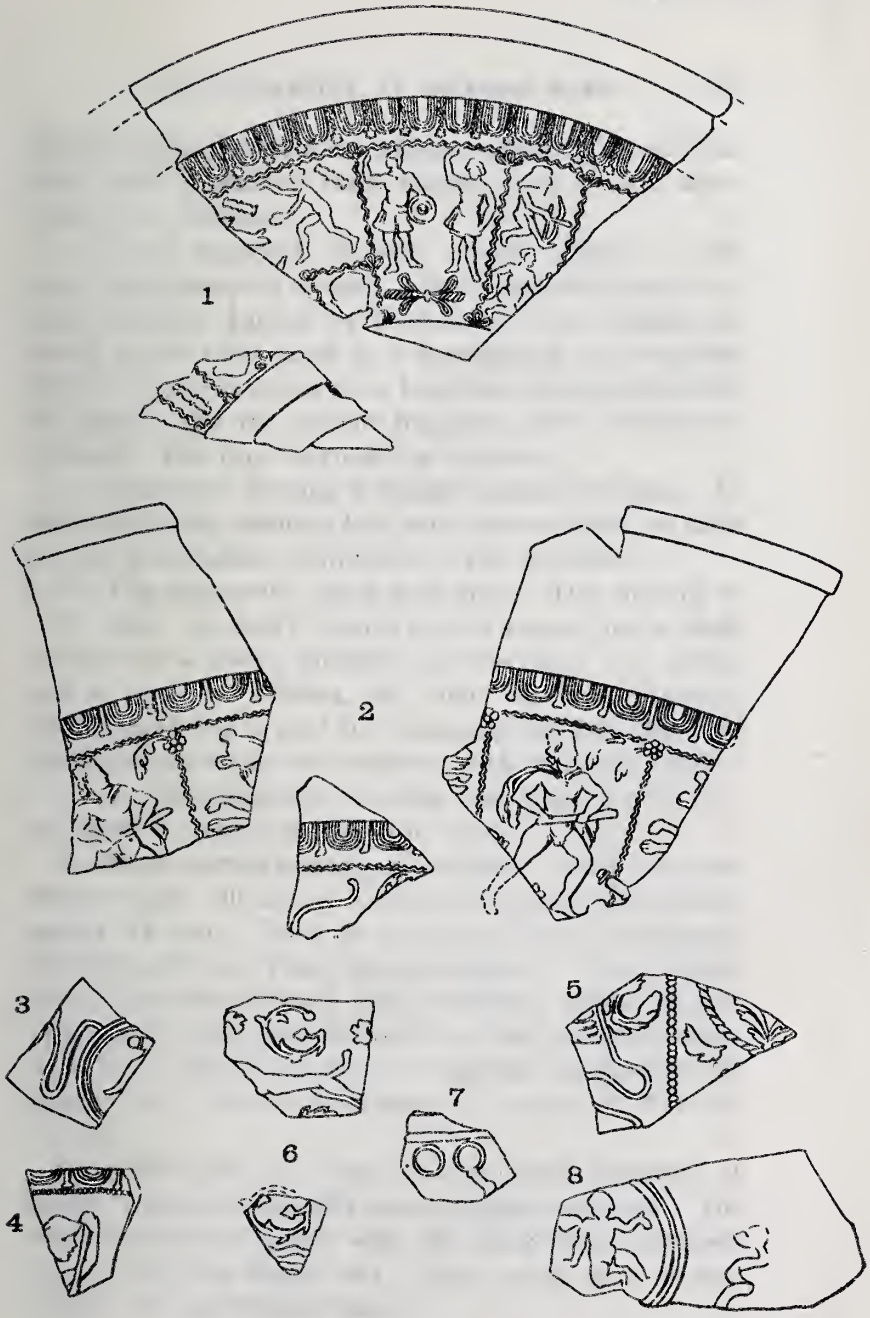
ing on a spear (D. 106). Beside him another, in cuirass, with r. arm in the same position (D. 102). Below, ornament like a thunderbolt, formed of two units of a common wreath pattern placed back to back. Cp. D. 1178, a cruciform ornament formed of four such units, and Walters, Pl. xxxiv., 34; (4) Crouching archer, to r. (D. 169). Below him, pygmy walking to r. Lezoux, excellent crisply modelled ware.

2.—Three fragments of a large 37 bowl, diameter 9¼ inches. Bright hard glaze. The blank band is unusually deep (1⅝ inches) and cuts off the upper edge of the egg-and-tassel border. Below this a zigzag line. The field is divided into panels by vertical zigzag lines; where one of these meets the horizontal zigzag, a rosette covers the junction.

Design, in panels. (1) Warrior, with short cloak fastened about neck and thrown back, moves to r. and draws sword from sheath (like D. 111 but smaller). Two examples of this panel are preserved. In one there are seen two pendent acanthus-leaves in upper r. corner, in the other one such leaf. A bead ornament lies across the vertical zigzag on either side; (2) Lioness? charging to l. and looking back to r. Incomplete. Cp. D. 793; (3) Lion? charging to r. Lezoux.

The lioness (D. 793) is used by Doeccus (Walters, *Catalogue of Roman Pottery in Brit. Mus.*, M. 1031) and Cinnamus (*ib.* M. 1551): and, somewhat earlier, by Janus of Heiligenberg and Rheinzabern (Knorr, *Rottenburg*, Taf. xii., 3, 5 and 10). Another potter of this German district, Reginus, used the warrior (D. 111, Knorr, *Rottenburg*, xvi., 10 and 11). Knorr thinks they began work early in the reign of Trajan, Barthel (*O.R.L. Zugmantel*, p. 124) would make them later. They probably borrowed these types from Lezoux.

3.—Fragment of different clay and glaze. The clay is paler even than that of No. 8, the glaze poor and dull.



1909-10 DECORATED SAMIAN

SCALE: HALF SIZE

Of the design part of a medallion containing a reel-ornament, and a sinuous stalk issuing from it, are alone preserved. German ?

4.—Small fragment, showing a male head to r. and raised hand grasping a staff. The complete figure (D. 3) is identified as Jupiter by Déchelette, who explains an object in the right hand as a thunderbolt, and suggests that the face only seems to be beardless owing to defective moulding. But the present fragment shows no trace of a beard. The type is known at Lezoux.

5.—Fragment showing a beaded vertical division. To left is a deeply indented leaf with sinuous stalk, to right part of a medallion, containing a leaf ornament.

6.—Two fragments ; good dark glaze. Dog running to l. (D. 934). In field a tendril curved almost into a circle (made with a stamp intended for repetition in a scroll), and a leaf like Walters, M. 1166. Probably Lezoux. This type of dog is used by Cinnamus and Paternus, but the fine style would be consistent with an earlier date.

7.—A third fragment, showing two rings, which does not seem to belong to the same vase.

8.—Much worn fragment. Clay paler. Within a medallion Cupid, full-face, r. knee on the ground, hands outspread (D. 264). Next on r. a figure much obliterated, resembling D. 411, Pan playing his pipes. Next, a figure which is almost certainly Triton wielding a club (D. 16). These three types were favourites of the potter Paternus of Lezoux ; the first two occur together on three bowls bearing his signature (Déchelette, i., p. 290, ff. Nos. 65, 66, 90).

Not Illustrated.—9. Rim of a 37 bowl, diameter 8½ inches, with exceptionally heavy upper moulding. The bold curving line below and the small ring ornament suggest that the design was a leafy scroll such as was common in the Antonine age.

Only Nos. 1 and 2 were found in stratified deposit.

These, I am told, were "in first period débris," by which I understand débris which had accumulated during the first occupation and before the making of the second floor. As the greater part of the two vases in question was missing, it is not necessary to suppose that they were in use immediately before the first destruction or reconstruction of the milecastle. No. 1 resembles the pottery of Trajan's time, but might no doubt have been made in that of Hadrian. No. 2 is probably Hadrianic. Both belong to vases which had been rivetted and might have been in use for a number of years. The finding of them at this level is consistent with the assumption that the milecastle was occupied under Hadrian.

Three other pieces "were found *above* the *second* floor, but they are very small and may have been moved." These are Nos. 6, 7 and 9. It is difficult to judge from such small pieces, but they do not seem to be later in character than the Antonine pottery of the Scottish forts. If any inference could be drawn from their position, it would be that the second floor was constructed during or very soon after the Antonine age.

The Periods of Occupation.

In making this excavation, special attention has been directed to the possibility of any previous occupation of the site associated with defences similar in construction to the turf rampart west of AMBOGLANNA, and to the evidence of the erection of the milecastle and Great Wall in stone.

There was no evidence of outer walls earlier than those of stone, nor of an occupation prior to the building of the stone walls.

Had there been an earlier occupation, remains such as pottery, ashes, etc., ought certainly to have been found in the large amount of levelling material below the lowest floors. In the absence of such evidence, it must be con-

cluded that the lowest floor was that of the earliest occupation of the site.

It may be urged that as the paths, the road between them, and the inside of the buildings furnished most of the dateable " finds " of the first period, they may have been the work of Hadrian, and that the original outer walls have been removed.

The evidence of the lowest road surface, which is continuous in the roadway and in the north gate, over the footings of which it passes, shows that the gate must be of the same date as the buildings and the road.

It has recently been suggested that the gates of milecastles might have been built of stone in conjunction with outer walls and a Great Wall of turf. This would imply that the date of the gateway need not affect the question of the date of the outer walls.

This question is decided by the position and level of the structures in the north-west and north-east corners. The lowest oven and the lowest step could only have been used in conjunction with the lowest road surface and the three must therefore have been contemporaneous.

Portions of the oven and the steps are, however, vertically above the footing-course, and could not have been constructed until the outer walls were made, proving that the outer walls were built at the same time as the internal buildings ; and the lowest floors, the oven and the steps added as soon as the walls were completed.

The question of date can only be decided by the finds associated with the first occupation. Judged by the present knowledge of Roman sites in Britain, the pottery, coins and *fibulae* found below the second floor, belong uniformly to the second century. The presence of the " rustic " ware and the bowls (Plate III., Nos. 1–6), hitherto looked upon as of late first century date, as well as the practically unworn coins of Trajan, all point strongly to the conclusion that the building of the mile-

castle and Great Wall took place about 120 A.D., while the three burnt coins of Faustina the Elder suggest that the great invasion of 180 A.D. was the occasion of the first destruction.

History fails to assist in fixing the date of the second destruction.

The coin of Claudius Gothicus indicates that the date was subsequent to 270 A.D., while the coins from the third floor show that the third and last occupation had commenced before 300 A.D. The view that the second destruction occurred not long after 270 A.D. is confirmed by the composition of numerous hoards of coins found throughout the country, of which two at least are from the line of the Wall.

In the hoard of over 5,000 coins of the mid-third century, found in 1878 between CONDERCUM and VINDOBALA, the latest coins were of Aurelian, 270–275 A.D. (*Arch. Ael.*, 2nd series, vol. viii., p. 256), while in the hoard of 120, found in the " villa " at AESICA in 1897, the earliest coin was one of Valerian and the latest, one of Quintillus, 270 A.D. (*Arch. Ael.*, 2nd series, vol. xxiv., p. 63).

The evidence of the third period coins has led Mr. Craster to suggest that the final abandonment of the milecastle took place as early as 330 A.D.

It has been taken for granted hitherto, that the milecastles were in use until the close of the Roman occupation. Had this been the case, remains of the re-occupation following the destruction in the early years of Valentinian I., 364–369 A.D., which are found in the forts, ought to appear in the milecastles also. The absence of these remains at Poltross Burn, and at Winshields, lends some support to Mr. Craster's suggestion.

It is our pleasing duty to record the kind help received in the carrying-out of the work.

To Mr. T. H. Hodgson, F.S.A., President of this Society,

and Mrs. Hodgson our warmest thanks are due for their kind assistance in making the requisite arrangements with property owners, as well as for their valuable personal service and advice during some weeks' residence at Gilsland, while the excavations were in progress.

The late Earl of Carlisle very readily gave permission for the excavations here recorded, as well as for others not included in the present report, and his tenants have loyally carried out his wishes by affording us all the help in their power. The difficulty which arose in examining the north gate and wall was overcome by the kind assistance of Mr. C. A. Harrison, Chief Engineer of the North Eastern Railway Company.

To Professor Bosanquet and Mr. H. H. E. Craster, M.A., we are indebted for valuable notes on the Samian pottery and coins printed herewith; to Mr. H. A. Auden, M.Sc., D.Sc., for treating the iron objects; to Mr. W. McD. Mackey for chemical examination of the coarse pottery, and to the Rev. W. G. Bird, vicar of Gilsland, for taking charge of numerous visitors and for other kind assistance.

From Mr. Collingwood, F.S.A., Mr. R. Blair, F.S.A., Mr. W. Parker Brewis, F.S.A., Mr. J. Curle, F.S.A., Dr. Haverfield, V.P.S.A., and Mr. T. May, F.S.A.Scot., we have received, during the course of the work, much valuable advice and encouragement.

Towards the expenses of the work, we are indebted to this Society for a grant of £10, and to Mr. D. Garnett, Mr. M. Mackey and Mr. W. Maudlen (the late), for kind donations.

ART. XXIV.—*A Rune-inscribed Anglian Cross-shaft at Urswick Church.* By W. G. COLLINGWOOD, M.A., F.S.A.

Read at Carlisle, April 27th, 1911.

IN 1909 we were able to announce the find of a cross-fragment at Urswick, the first relic of Anglo-Saxon age discovered in Furness. This, by its Scandinavian character, showed evidence of the Viking settlement. The name however ("Vr wic" 1157-8: Farrer's *Lancs. Pipe Rolls*, p. 308: possibly for *ures-wic*, bison's * village?) was certainly Anglo-Saxon, not Norse; the early importance of the place as centre of the original manors of the district, and traditions, more or less noteworthy, of its great antiquity, all point to a pre-Viking origin. Which being the case, we hoped sooner or later to find a pre-Viking monument.

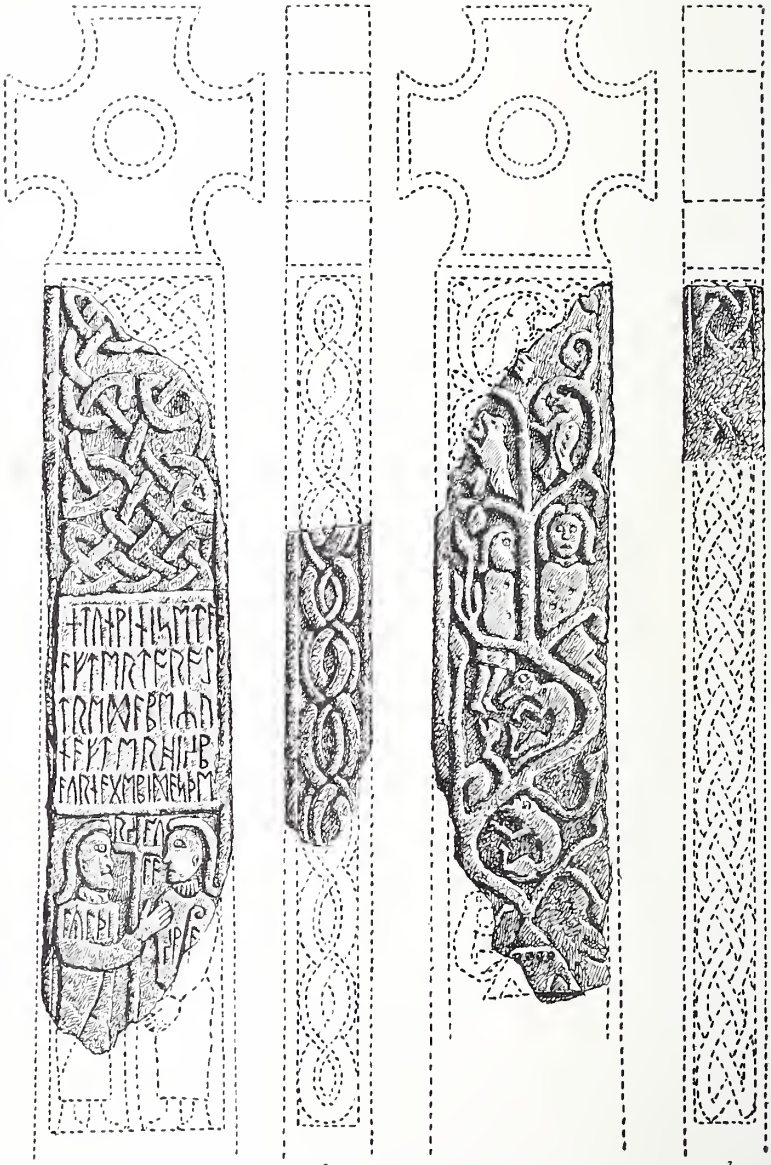
Early in April, 1911, the Rev. T. N. Postlethwaite wrote to me that another carved stone, with runes, had been found in stripping the plaster from the walls. His attention had been called to it by Mr. Afflick, the builder, but he had left it untouched until, as he kindly said, I should have seen it just as it was found. I went over at once with my son, whose help throughout has been valuable. We saw the stone in its place as lintel to the easternmost window in the south wall of the nave, high over the Gale pew, and as it carried no weight and was of no importance to the structure we had it taken down in the presence of the vicar, his churchwarden, clerk, and others, and tried to clean and read it. Enough was visible to show that it was an earlier monument than the stone found in 1909, but for further study Mr. Postle-

* i.e. *Bos primigenius*, not Aurochs, but ancestor of Chillingham cattle.

Photo. by R. G. Collingwood.

THE TUNWINI CROSS-SHAFT, URSWICK.

TO FACE P. 462.



a *b* *c* *d*

THE TUNWINI CROSS AT URSWICK.

thwaite kindly let us take it home. Careful cleaning showed that, though the stripping of the plaster had slightly damaged the surface here and there, it was in very good preservation. One edge had been dressed down when it was used as a lintel, but the considerate iconoclast had left a bit of pattern at one end, so that the whole can be restored without much doubt.

The fragment is of red Furness Abbey sandstone (Permian) measuring 47 inches long, 12½ to 11 on the broader side, and 5⅞ to 5¼ on the narrower. On sides *a* and *d* of the drawing herewith the interlaced straps show a re-entering angle at the "dexter chief," indicating that the panel terminated there, giving us the top of the shaft. Above this must have been an Anglian free-armed head (I have used the form at Irton as possible from the point of view of period and district) and at the foot of the shaft, the completion of the two figures, with a little blank space below, as is not uncommon, gives a cross somewhat over six feet high—quite a large enough stone to be won at that period and carried four or five miles from the nearest outcrop of Permian.

The carving is chiselled throughout, though in some places chiselled in broken touches, which I take to be a transition to the picked or hacked work characteristic of the tenth century. The upper panel in *a* has two closed members or "rings" in the plait—a feature of late design, though this panel is otherwise very like that above the Igilsuith runes of Thornhill, West Riding. The pattern of *b* is seen in a rather late Anglian shaft at Leeds Museum, and the interlacing of double strands is also seen in the late Anglian cross at Irton, though in another pattern. The irregular scroll of *c* is more distorted than any such work I know in the North of England, but it is obviously derived from such late Anglian work as the cross-base at Rastrick. The open plait of *d* is also of late Anglian character; there is no Scandinavian ornament on this cross and it must be pre-Viking.

The figures are very rude indeed. The two on *a*, with a cross between them, suggest at first sight the SS. Mary and John at Burton in Kendal, Kirkby Wharfe, etc., but neither looks like a female. I am not sure whether they have beards under their chins, or whether the forms are meant to represent collars such as is seen in the latish Anglian shaft from St. Mary, Bishophill junior (York Museum, Hospitium, No. 9). As one person is putting his hand upon the side of the other, the Incredulity of St. Thomas comes to mind; but that other figure has no nimbus, and is not at all like the usual representations of Christ. The forms above the heads appear to be meant for long hair. Perhaps the runes on the figures are intended to explain them.

On side *c* there are two persons in the boughs of a tree, one sitting; above them are two birds, the tail of a third suggests the restoration; below them are beasts, indeterminable as to species but not dragons, and the paw of a third again suggests the restoration. Adam and Eve in the Garden are sometimes found on early Christian monuments, but usually with the serpent; and if these are intended (as some indications suggest) for semi-nude figures, the drawing is unbelievably infantile. At the same time the design is effective, well proportioned, and adapted to the space: the tradition of decorative art in decadent schools outlasts the power of naturalistic drawing.

The inscription is quite plain to read:—

+ TUNWINI SETÆ
ÆFTER TOROeO–
TREDÆ BECV–
N ÆFTER HIS B–
ÆURNÆ GEBIDÆS THE–
R SAU–
LÆ
LYLTHI SWÆ–

The first part follows the formula of the well known Dewsbury cross-head, but the spelling is irregular (perhaps dialectic) ; *e.g.* " bæurn " for *beorn*, and " gebidæs ther saulæ " for *gebiddath thære saule.* Tunwini is a name found recently (as " Tundwini ") by Mr. J. P. Gibson, F.S.A., on a cross at Hexham. Torhtred (" bright counsel ") is a possible Anglian name, like Torhtmund (not connected with the Thor—— of the Vikings), and the spelling " Toroeotred " is not unlike the " Eadberehct " of the Wensley slab for *Eadbercht* ; that is to say, a vowel is inserted to represent the burr of the R and the aspirate following it. We have then :—" This cross Tunwini erected in memory of Torhtred, a monument to his lord. Pray for the (his) soul."

The last line, written on the figures of the two men, is plain as far as it goes ; there is room for another letter, and we might possibly read " Lyl this wæs," meaning (with " this " for *thes* if referring to a male person) " This was Lyl " or " Lül." Lull(us), the Anglian bishop of Mainz, and Lilla, the " minister " of King Eadwine, may suggest parallels for the name ; but the subject of the picture is still obscure.

The monument, however, is distinctly Anglian, though very late ; it has no Scàndinavian character, though the spiral at the shoulder of the sinister figure on *a* has a touch of Celtic style, if it means the termination of a limb and is not—as it hardly can be, since it is only an incised line and not a form in relief—intended for a crozier. With this slight Celtic affinity we can compare the similar indications on the Irton cross, which is obviously Anglian in general character ; and indeed it is not certain that this spiral and such minor points of style show direct relations with Ireland, so much as a general modification of taste, prevalent at the period, and not racial. It seems probable, however, that our coast was by no means unacquainted with the opposite shore of the Irish sea,

even after the synod of Whitby drove the Irish missionaries away. But the ornament and formula of this cross connect it very strongly with the West Riding, and suggest that Furness and Craven then were one country, part of the decaying kingdom of Deira under Osberht and Ælla; for the date of this monument to Torhtred, lord of Urswick, must be about 850–870 A.D. or shortly before the Viking invasion which stamped upon Furness the Scandinavian character it bore until the time of Gamel's tympanum at Pennington, three hundred years later.

ART. XXV.—*Roman Inscriptions from Cumberland.* By Professor F. HAVERFIELD, M.A., LL.D., D.Litt., V.P.S.A.

THE brief note which follows contains three Roman inscriptions recently found in Cumberland. The first has not been published before; the second has not yet been published fully; all three are of distinct interest and deserve to be recorded in these *Transactions.*

1.—KNELLS, NEAR CARLISLE.

Mrs. Hodgson has sent me word and Mr. L. E. Hope has added rubbings and a photograph of a Roman inscription now in the possession of Mrs. Fell, at Knells, some three miles north-east of Carlisle. Its history appears to be quite unknown, but it was doubtless found somewhere not very many miles away, and its Roman character is clear. It is a block of red sandstone, 32 inches high, 17 inches wide and 15 thick: the top is now crowned by a seventeenth-century sundial: the front is occupied by a sunk panel 20 inches high by 14 wide, on which the material supplied to me by Mrs. Hodgson and Mr. Hope shews clearly four lines of letters, 3½–4 inches tall, as follows:—

B O N O
R E I
PUBLICÆ
N A T O

Bono reipublicae nato, 'born for the good of the state,' is a common fourth-century formula applied to an Emperor. Usually it occurs on milestones or on blocks of stone which might have formed parts of milestones or roadside stones. Once or twice, as for example on a stone

found at Wroxeter which I have figured in the *Victoria History of Shropshire* (i., 247), it occurs in forms which do not much look like milestones. The Knells specimen may well be part of a milestone, like the similarly-shaped inscription of Diocletian found long ago in the same neighbourhood, at Old Wall (Lapid. Sept. n. 450). A stone bearing the actual formula *bono r.p. nato* seems to have been found at Lanercost about 1600, which was copied by Bainbrigg, but it has since vanished.* The arrangement of the letters on it seems to indicate that our stone is not identical with it (Corpus, vii., 1189).

2.—Old Penrith.

In March, 1908, a Roman altar was found in the course of field-work about 100 yards north of the Roman fort Voreda, now called Plumpton Wall or Old Penrith. I am indebted to Dr. J. F. Haswell of Penrith and to Mr. Harris of Brackenburgh Tower, the owner, for information respecting it and or help and hospitality when I went to see it. It is a large altar, 58 inches high, 24 inches wide, with the usual jug and dish carved on the (spectator's) left side, and the axe and knife on the right. The lettering occupies nine lines ; parts of lines 6–8 are obscure.

O I M N I B V S
D I B V S V N S E
N I S · F E R S O M A
R I S · B V R C A N I V S
A R C A V I V S · A G D A
· A R C V S T V S · O V I
. . . I A R V S V E T E R A
. . . . . O S A L V T E
S V A E̅ S V O R V M V S L M

* It is not recorded in Bainbrigg's papers printed earlier in this volume. But it is included in a list of Bainbrigg's stones made in 1722 by one Hayton, and now preserved in the Bodleian Library (MS. Gough gen. top. 36, fo. 44).

PLATE A.—ROMAN ALTAR FROM OLD PENRITH.

TO FACE P. 470.

Omnibus dibus Unsenis Fersomaris, Burcanius, Arcavius [V]agda[v]arcustus, . ovi . . iarus, vetera[ni pr]o salute sua et suorum v(otum) s(olvunt) l(ibentes) m(erito) .

'To all the gods Unseni Fersomari, Burcanius, Arcavius Vagdavarcustus, . . . iarus, veterans, for the safety of themselves and their families (set up this altar) in fulfilment of their vow.'

When I first heard of the altar, the names of the deities, *Unsenis Fersomaris*, seemed to me too like 'unseen & fearsome' to be part of a genuine Roman inscription. But there seems to be no doubt either of the reading or of the genuineness of the object. I have, however, failed to get either from Germanic or Celtic philologists in England or Germany any explanation of these two words. The names of the dedicators are less obscure. As Professor A. von Domaszewski has pointed out to me, Burcanius resembles the ancient name of the island Borkum, in Greek *Βουρχανὶς* or *Βυρχανὶς*, while Vagdavarcustus, if it be rightly so restored, is akin to the name of the German goddess Vagdavercustis, worshipped in what is now Holland. It seems, therefore, that we have to do with a number of German soldiers worshipping presumably German deities, and in this connexion Professor Domaszewski points out that the German 'Matronae Fernovineae' exhibit at least the same first syllable as 'Fersomaris.' A similar group of Germans occurs on an altar now in Carlisle Museum (Tullie House catalogue, No. 4) dedicated by 'Durio and Ramio and Trupo and Lurio, Germans,' to the Celtic deity Maponus and the Numina Augustorum. The origin of this altar is doubtful. It has usually been attributed conjecturally to Plumpton Wall: so it is listed in the Lapidarium (No. 793) and the Corpus (No. 332). But according to W. Nicolson (prebendary, archdeacon and bishop of Carlisle, 1681–1718), it was really found about 1688 'at Brampton in Gillesland,' that is, in or near Castlesteads: see his letter dated 5 June, 1693, among

the papers of Edward Lhuyd in the Bodleian library at Oxford (MS. Ashmole 1816, fo. 466). Nicolson was a competent antiquary and he wrote long before anyone else who mentions the inscription, so that his evidence may be accepted as final.

The new altar has been published in the *Journal* of the British Archæological Association (1908, p. 142) with an illustration here by leave reproduced. There, however, only the first 5 lines could be given : the remainder of the text I have since deciphered. It is proper to add that the superfluous I in line 1 probably represents a commencement of M too near the preceding O ; in line 3 the final A and in line 7 the letters TER are not certain ; in line 6 the letter before OVI may be P.

3.—Old Carlisle.

Early in 1908 an inscribed sandstone slab, 13 inches wide, was found about 100 yards from the Roman fort of Old Carlisle in the parish of Westward and was removed to the offices of Messrs. Carrick & Dudding, County Court Buildings, Wigton. I am indebted to Mr. R. H. Forster, F.S.A. and Mr. H. Dudding for photographs and information. The stone is broken at the top, but it is not clear that any letters are lost.

H E R C V L I
SORTES·SIGI
LIVS·EMERIT
D · D · S · P

Herculi sortes Sigilius Emerit(us) d(at) d(e) s(ua) p(ecunia).

'Sigilius Emeritus (or perhaps : Sigilius, a discharged soldier) gives the due share to Hercules at his personal cost.' That is, the slab represents the share of booty due to the god. The share (or tithe) of Hercules, due at the winning of booty or other gain, is mentioned in ancient

PLATE B.—ROMAN SLAB FROM OLD CARLISLE.

TO FACE P. 472.

Roman literature of all periods and also on inscriptions. It is interesting to find so genuinely Roman a usage appearing at a Roman fort in northern Britain.

The inscription has been published in the *Journal* of the British Archæological Association, 1908, p. 144. The Council of the Association has kindly lent the block from which the annexed plate is printed.

PROCEEDINGS.

Summer Meeting.

THE first meeting of the season was held on Thursday and Friday, July 7th and 8th, at Keswick, with excursions in the Cockermouth district. Mr. E. T. Tyson, Col. Edwin Jackson, Capt. W. J. Farrer, and the Hon. Secretaries formed the committee for local arrangements. Among those attending the meeting were the President, Mrs. T. H. Hodgson and Miss Hodgson, the Rev. Canon Bower, vice-president, and Mrs. Bower, Mr. E. T. Tyson, vice-president, the Rev. F. L. H. Millard, Mr. W. N. Thompson and Mr. J. H. Martindale, members of Council, and Mrs. Martindale, Mr. C. W. Ruston-Harrison, editor of Parish Registers, Mr. J. F. Curwen, F.S.A., hon. sec., Mrs. and the Messrs. Curwen, Mr. Edward Wilson, assistant secretary, and the Editor: Mr. Henry Brierley and party, the Misses Noble, Mr. and Mrs. J. R. Highmoor; Miss M. Nicholson and Mrs. Goodchild; Mr. Harvey Goodwin, Mr. D. Scott, Col. and Mrs. Jackson, the Rev. H. D. Ford, Mr. and Mrs. C. E. Robinson, Mr. John Marshall and party, Mr. R. Blair, F.S.A. and Mrs. Blair, Dr. and Miss Todd, the Misses Spring-Rice, Mr. H. Penfold, Messrs. W. H. and H. H. Watson, Miss Benson, Miss Pleavin, Captain and Miss Farrer, Mrs. Hornby, the Rev. H. Maclean, Mr. and Mrs. A. B. Lowry, Miss Gough and Miss Macray, Mr. and Mrs. Joseph Cartmell, the Rev. J. Ewbank, the Rev. D. G. and Mrs. Douglas, Mr. W. I. R. Crowder jun., Mr. W. L. Fletcher, Mr. C. Courtenay Hodgson, Mrs. W. Hudson-Scott, Mr. J. Procter Watson, Mr. W. T. McIntire, Mrs. Carrick, Mr. F. Gerald Simpson, Mr. T. K. and Miss Metcalfe, Mrs. Dyson, Miss Alice Johnson, and others.

On Thursday, July 7th, the party met at Brigham station about eleven, and walked to the church, where they were met by Mrs. and Miss Pollock, in the absence of the rector, Canon Pollock. The fabric and its history were described by Canon Bower, who mentioned the early Norman origin of the structure, its thirteenth century font and its bells, and the worthies of Brigham—Robert Eaglesfield, founder of Queen's College, Oxford, John Dalton the chemist, and Fletcher Christian of the "Bounty" mutineers and

Pitcairn island. The pre-Norman monuments were exhibited by the Editor (see *Early Sculptured Crosses*, etc.) who remarked on the continuity of the site as a place of worship from the eighth century onwards. Thanks were returned to Mrs. and Miss Pollock and the speakers by the President.

At Bridekirk Church the party was met by Canon Sutton, and after inspection of the Roman and Mediæval stones in the ruins of the old church, the Editor described the Runic font of the twelfth century, the early Tympanum and Anglian cross-head, and contrasted the apparent break in the history of Bridekirk during the Viking age with the continuous history of Brigham. Canon Sutton then gave an account of the present fabric, which though modern contains three ancient arches, those of the south door, the organ and the south transept door; also registers from 1585 and plate from 1550. The President moved a vote of thanks to the speakers and to Canon Sutton for his kind reception.

Driving to Cockermouth, seventy-three members assembled, after an interval for luncheon, in the court of the Castle, where Mr. J. F. Curwen gave a lucid discourse on the structure and its history, with the help of the plans which he distributed (Art. VIII.). Thanks to the Hon. Secretary were proposed by Mr. E. T. Tyson.

At the Old Hall Mr. J. H. Martindale read his description of the place (Art. IX.) and by the kind permission of the tenant, Mr. F. Thwaite, members were able to see all parts of the house. Mr. E. T. Tyson offered the thanks of the Society to Mr. Martindale, remarking that Cockermouth Hall was the last place where Mary Queen of Scots was in any sense a free visitor; leaving the Cockermouth merchant's house she left her luck behind her and from that time was a prisoner. Mrs. Tyson had kindly offered to entertain the party to tea at Wood Hall, and it was much to their regret that time would not permit of the addition to their excursion. Before the train for Keswick started there was, however, half an hour in which some members availed themselves of Dr. and Mrs. Graham's permission to see Wordsworth's birthplace in Main Street.

After dinner the annual meeting was held at the Keswick Hotel, the President in the chair. The minutes having been read and signed, the officers of the Society were re-elected, with Mr. Henry Brierley, president of the Lancashire Folklore Society and hon. secretary of the Lancashire Parish Register Society, as member of Council in the place of the late Mr. Harper Gaythorpe. The following new members were elected:—The very Rev. the Dean

of Carlisle ; Lady Dorothy Howard ; Lady Lawson ; Mr. R. Morton Rigg, Penrith ; and Mr. E. C. Brunskill, Kendal.

Mr. T. H. B. Graham's paper on " Extinct Castles in Cumberland " was then submitted (Art. XVII.) and Mr. F. Gerald Simpson gave an account, with relics and illustrations, of the explorations made by himself and Mr. J. P. Gibson, F.S.A. at the Poltross Burn Milecastle (Art. XXIII.), for which the President moved and Mr. J. F. Curwen seconded a vote of thanks. Mr. Brierley circulated a sheet which he had specially printed to show the dates of commencement of all Parish Registers in Cumberland and Westmorland beginning before 1700, compiled from the Return to Parliament.

At a Council meeting held the same evening it was reported that the Grindal armorial slab on the bridge at St. Bees had been replaced by a new stone, the original being preserved in the local museum, according to the suggestion made by the Council of this Society. A grant was also made to Mr. J. P. Gibson for the excavation work at Poltross Burn, described that evening by Mr. F. G. Simpson.

Thursday had been a very fine day, and Friday was still more brilliant. The drive from Keswick along Bassenthwaite Lake to Peel Wyke was thoroughly enjoyable, and the party climbed the Castle How to hear Mr. J. F. Curwen's description of the place (Art. VI.), taking the coaches again to Hewthwaite Hall. Here Mr. J. H. Martindale read his paper (Art. X.) and by the kindness of Col. Green-Thompson, the owner, and Mr. John Tremble, the tenant, they were able to explore the old house and its surroundings. Thanks were returned on the motion of Mr. E. T. Tyson.

At Isel, the Hall was first visited. Its gardens and apartments having been inspected, Mr. J. F. Curwen spoke on the history and architecture (Art. VII.), saying in conclusion :—

" I cannot close without asking you to accord to Sir Wilfrid and Lady Lawson very considerable thanks. Not only have they allowed me to rummage round into every conceivable corner and thread my tape behind their many valuable possessions, but they have asked me to convey to you their sorrow that through absence in Norway they are unable personally to welcome the Society here to-day. Repeatedly have I tried to convince Lady Lawson that it is against all our solemn rules to accept of luncheon, but as often has she persuaded me that a sandwich or two, taken standing, can hardly come within the meaning of the act. Last night we had the pleasure of welcoming her as a member, and now I trust you will authorize me to convey to Sir Wilfrid our

grateful thanks for his courtesy." The proposal was received with acclamation, and the luncheon with every token of satisfaction.

After this, the pretty path by the meadows was taken to the church, when the Editor exhibited the monuments of the Viking age, and Canon Bower spoke on the fabric, pointing out the Norman arches which were preserved after restoration of 1878, not without regret that the mural paintings once to be seen had vanished. The silver chalice of Elizabethan design and the old documents and records were brought out for inspection by Mr. Caton, the churchwarden, the church at the time being without a vicar. Thanks were expressed by Canon Bower to the Local Committee, and especially to Mr. E. T. Tyson, Mr. John F. Curwen and Mr. Edward Wilson, for the arrangements which had done so much for the success of the meeting.

Autumn Meeting.

The second meeting was held at Carlisle on Thursday and Friday, September 8th and 9th, 1910, with excursions to Hexham and Corstopitum, Highhead and Rose Castles. The committee for local arrangements consisted of the Rev. J. Wilson, Litt.D., the Rev. F. L. H. Millard, M.A., Mr. J. H. Martindale, F.R.I.B.A., and the Hon. Secretaries. The attendance included the President, Mrs. T. H. Hodgson and Miss Hodgson; the Rt. Hon. the Speaker, Professor Haverfield, Dr. Barnes, Canon Bower, and Mr. J. G. Gandy, vice-presidents; Dr. and Mrs. Abercrombie, Dr. and Mrs. Haswell, Major and Mrs. Spencer Ferguson, the Rev. F. L. H. Millard, Mr. and Mrs. J. H. Martindale, Mr. and Mrs. H. Brierley, Mr. W. N. Thompson, Mr. F. H. M. Parker, the Editor and Mr. R. G. Collingwood, Mr. C. W. Ruston-Harrison, Mr. and Mrs. J. F. Curwen, Mr. Edward Wilson; Lord Morpeth, the Bishop of Barrow, Sir Robert and Lady Allison, Captain Morton, Colonel E. Jackson, Mr. T. H. B. Graham, Dr. and Miss Lediard, Mr. W. N. Ling, Mr. J. Slack, Mr. W. I. R. Crowder jun., Mr. C. Courtenay Hodgson, Miss Donald, Mrs. W. Hudson-Scott, Minor Canon Day, Miss B. M. Halton, Miss Reynolds, Mr. W. G. Welch, Miss J. J. Welch, Mrs. Bateson, Miss Alice Johnson, Mr. J. P. Gibson, F.S.A., the Rev. C. Moor, D.D., the Rev. W. G. C. and Mrs. Hodgson, the Rev. H. and Miss Maclean, Miss Gough, the Rev. R. V. and Mrs. Nanson, Mr. R. Morton Rigg, the Misses Noble, Mrs. Sidney Donald, the Rev. J. Ewbank, Mrs. and Miss Todd, Mr. R. Blair, F.S.A., and Mrs. Blair, the

Rev. A. J. Heelis, Mr. A. Lowry, Mr. A. Moorhouse, Mr. H. G. Pearson, Mr. and Mrs. John Watson, Mr. J. W. Jackson, Mrs. Metcalfe-Gibson, Miss Benson, Mr. and Mrs. Highmoor, Miss C. L. Wilson, the Rev. A. R. Thomlinson, Miss M. G. Cumpston, Mrs. Kirkbride, Mr. J. Procter Watson, Miss Donald, and others.

On Thursday, September 8th, train was taken to Hexham, arriving 11-16, and the party was received at the church by the Rev. Canon Savage, who described the restorations in which he was instrumental, after which collecting plates were sent round and a substantial sum was contributed by the party.

At two o'clock carriages were taken for Aydon Castle, where our members were met by a party from the Society of Antiquaries of Newcastle-upon-Tyne, and the thirteenth century fortified manor-house was described by Mr. W. H. Knowles, F.S.A., in a very lucid and interesting manner.

At Corstopitum Mr. R. H. Forster, F.S.A., gave an account of the work done during the summer, including a fine altar to Jupiter Dolichenus, the heavenly Brigantia and Salus, found only the day before. Professor Haverfield spoke upon the importance and productiveness of the site, its early date and long continuance under the Romans, their excellent masonry in the two granaries, the fountain and the building round a quadrangle nearly as large as that of Christ Church, Oxford, and the value to archæologists of the coins and pottery. He thought that Corstopitum, founded under Agricola, had been a great military base in the second century, but early in the third had become a place of civilian residence, and so remained until the close of the fourth. When the Romans left it was deserted, though a few very early Anglo-Saxon burial stones had been found. Later on, the Anglo-Saxons used the ruins as a quarry for building Hexham and Corbridge churches but otherwise left the site untouched : to their neglect its present value as a field of exploration was owing. Canon Bower returned the thanks of our Society to Professor Haverfield, Mr. Forster and Mr. Knowles for their addresses.

After dinner at the Crown and Mitre Hotel, Carlisle, a general meeting was held, Mr. J. G. Gandy, vice-president, taking the chair for the first part of the evening, followed by the President. The following papers were read :—" The Askews of Bootle," by the Rev. C. Moor, D.D. (Art. XI.) ; " The Town's Book of Biggar, Isle of Walney," by Mr. H. G. Pearson (Art. XII.) ; and " A recent find of Roman Coins at Brougham," by the Rev. A. J. Heelis (Art. XV.).

Mr. J. Wilfrid Jackson, F.G.S., of the Manchester Museum, gave a short account of some investigations he had been making in a cave on Warton Crag, known as "Dog Holes." He explained how he first discovered the cave in 1907 and obtained a number of human and animal remains from it. This led him to approach the landowner, E. B. Dawson, Esq., J.P., of Lancaster, with a view to investigating the cave properly, to which Mr. Dawson readily assented and showed his keen interest by providing the necessary men and tackle for the work done last year. This year the work was conducted partly by subscriptions. In the course of the investigations large numbers of bones of both wild and domestic animals were met with, mostly in a fractured condition, as well as indications of the cave having been used as a habitation by man during remote times. Human remains were also discovered in the cave, one chamber alone containing the bones of eleven persons, both young and old, and the total number discovered represents at least fifteen individuals. It was pointed out by Mr. Jackson that the presence of such a large number of human remains in the cave strongly suggested that it had been used as a place of sepulchre in Prehistoric times, and, judging from the large number of individuals represented and the limited extent of the chambers, that the dead had been buried at different times. Unfortunately there was nothing reliable to fix the date of these interments. The most interesting evidences of later human occupation met with were several types of Late-Celtic pottery (first century A.D.), an iron knife set in a haft of deer-antler, a small fragment of ornamented bronze (Celtic period), flint flakes, hammer-stones, an enamelled bronze pendant or fibula, and a pair of beautifully patinated bronze scale-pans—ornamented with the dot and circle pattern—and beam, probably of Late-Celtic date. Along with these remains were charcoal ashes and large quantities of split bones of various animals, such as are usually associated together in Prehistoric and Romano-British refuse-heaps. Mr. Jackson stated that the work was exceedingly heavy and necessitated a large financial outlay for small results, but hoped that further explorations might still be made, as very much more work remained to be done before the many problems connected with the cave can be satisfactorily solved.

The Editor then described the original account books of the German miners at Keswick, 1566–1569, which he had recently procured on loan from the city Archives of Augsburg (Article held over for want of space), and submitted an Article by Miss Armitt on the Luking Tongs (Art. XIII.).

The following members were then elected :—Miss Cumpston, Barton Hall, Penrith ; Miss Ellen Cumpston, Barton Hall, Penrith ; Mrs. Shepherd, Rocklands, Kendal ; Mr. C. H. Clegg, Hawesmead, Kendal ; Lieut. E. C. Clegg, the Border Regiment, the Castle, Carlisle ; the Rev. A. R. Thomlinson, the Vicarage, Bolton-le-Sands ; the Rev. A. H. Bloxam Day, 2, Victoria Place, Carlisle ; Mrs. Goodchild, Waldron Milburn, Newbiggin, Carlisle ; Dr. F. Beetham, Clifton End, Manningham, Bradford ; Colonel J. W. R. Parker, Browsholme Hall, near Clithero ; Mr. R. C. Reid, Cleaughbrae Cottage, Ruthwell, Dumfries ; Mr. J. Blackledge, Daweswood, Patterdale-on-Ullswater, Penrith ; Mrs. Alice Hodgson, Western Lodge, Workington ; Mr. H. Rawcliffe, Parkside, Milnthorpe ; Mrs. Henry Brierley, 26, Swinley Road, Wigan ; Mr. Joseph Fisher, Higham, Cockermouth ; Captain Pownall, the Border Regiment, the Castle, Carlisle.

On Friday, September 9th, at ten o'clock, a visit was made to Carlisle Castle, under the guidance of Captain G. A. Morton, who gave an interesting and full account of the various buildings and their history. In proposing a vote of thanks, Mr. J. F. Curwen said that he had made a collection of notices from public records regarding the Castle, and offered them to Captain Morton if he should be able to continue his researches and communicate to the Society an ampler description than is at present available. Owing to Captain Morton's removal from Carlisle the intention which we understand he had formed of carrying out this work has not as yet been realized.

Leaving Carlisle Castle by coaches at 11-15, the party arrived about half-past twelve at Highhead and were met by Mr. and Mrs. Hills. Mr. J. H. Martindale described the Castle (Art. XXI.) and thanks were returned to him and to Mr. Hills for his kind reception by Canon Bower, who added his reminiscences of the place in 1874 when it was a farmhouse, before it had been restored into its present condition. Mr. Hills in reply summarized the history of Highhead—first a pele tower, then in the sixteenth century a small Tudor house attached to the tower on its west side ; then the eighteenth century house was built, when the pele tower was demolished and the Renaissance interior was adorned with plaster ceilings by Italians and with wood-carving by Flemish workmen.

At Rose Castle the Bishop of Carlisle and Mrs. Diggle had kindly invited the party to tea. The Rev. F. L. H. Millard described the Castle, distributing a pamphlet on its history, prepared by himself. The Right Hon. the Speaker of the House of

Commons expressed the thanks of the Society to the Bishop an Mrs. Diggle for their welcome and entertainment. In replying, the Bishop thanked the Speaker for his presence, and Mr. Millard for his paper, of which he asked for copies to distribute to visitors. Shortly after four, the coaches were taken for Carlisle, terminating a pleasant and instructive meeting in exceptionally bright weather.

Spring Meeting.

On Thursday, April 27th, 1911, a general meeting for the reading of papers was held at Tullie House, preceded by a Council meeting at which, among other business, it was proposed from the chair and carried unanimously that the regret of the Council be recorded and condolence offered on the death of the Earl of Carlisle, vice-president. Correspondence with the Lancashire and Cheshire Antiquarian Society, through Mr. J. Rawlinson Ford and Mr. John F. Curwen, was read, including a resolution to the effect that we should have leave to investigate, and to direct explorations unauthorized by the Lancashire and Cheshire Society, in Lonsdale north of the Lune; that district, however, remaining within the sphere of operations of the Lancashire and Cheshire Society. This resolution was accepted, not without dissent. It was pointed out that by our Rule 2 the general funds of our Society cannot be applied to this purpose, though we are now free, by the courtesy of our neighbours, to apply any special subscriptions to work in the northern side of the Lune valley, should opportunity arise.

At the General Meeting, Mr. J. G. Gandy, vice-president, in the chair, the following new members were elected :—Mr. Charles Edwin Bailey, Warton; the Rev. C. E. Golland, M.A., Member of the Royal Archæological Institute, vicar of Glasson Dock; Mr. T. Edmund Casson, Keswick; Mr. T. C. Parker, Skirwith Abbey, Langwathby; Mr. J. R. Mason, Workington; Mr. Charles Bulwinkle, Kendal; Miss Mary C. Fair, The Ferns, Eskdale Green; the Rev. Albert Warren, M.A., vicar of St. Michael's, Appleby; Mrs. Bennett, Whelpside, Hensingham; Mr. W. J. Lawson, Brampton; Major Hume, Carlisle Castle; Mr. John Sewell, Headsnook, Carlisle; Mrs. Heywood Thompson, Nunwick Hall, Penrith.

The following exhibits and papers were then submitted :—Ancient pottery, etc., found at Docker near Kirkby Lonsdale by Mr. Anthony Moorhouse (Art. XXII.), and a Rune-inscribed Cross-fragment found recently at Urswick (Art. XXIV.). These, being fresh discoveries during the year 1910–11, are included in this volume of our *Transactions*.

The Editor then read an abstract of the Rev. Frederick W. Ragg's paper on "The Coupland Final Concord of 1230," dealing with persons and places in Lorton, Newlands and the Buttermere mountains; and communicated abstracts of Mr. Ragg's articles on "Le Fraunceys, de Vernon, and Newby Stones" and "Rosgill and its early owners."

Dr. Parker gave an account of the family of Porter, and exhibited a MS. charm of the seventeenth century.

The Editor then read parts of articles on "Some Vanishing Highways and Place-names of a Cumberland dale" (Eskdale) by the Rev. W. G. Sykes and Miss Mary C. Fair, and on "Kirkoswald Castle" by Mr. T. H. B. Graham, and submitted "The Debateable Land; supplemental to *The Barony of Liddel*," by Mr. T. H. B. Graham.

Mr. Linnæus E. Hope exhibited a rubbing and photographs of two stones at Knells; of which one is described in Art. XXV. above. The other was thought by the Editor to be an Anglian cross-slab, but the photograph did not show details with sufficient distinctness; and Mr. Hope was so good as to take another photograph which is here reproduced. This appears to represent a sculptured stone of the eighth or early ninth century. Canon Bower gives the dimensions as 3 feet 6 inches long by 1 foot 2 inches wide, and 4 inches thick. It is of red freestone. Above the cross arms the ground is dug out; the lower part is merely incised. The form of the cross is distinctly Anglian; *e.g.* the great cross at Lastingham is of this type. The birds on the upper quadrants are of Anglian design, and similar figures are seen in the Donfrid slab at Wensley. As the slab was recumbent, the designer appears to have thought it necessary to show these birds to the spectator as they would appear when he stood at the nearest point from which he would see them; therefore they are upside-down with respect to the main form of the cross. So also is the inscription at this end of the stone, which reads—MVNDI; being the second half of such a name as Alchmund or Torhtmund, in the genitive of its Latin form. The first half was probably at the other end of the stone. The lettering is Anglian, having the drilled sérif in some places and a small triangular sérif in others. A very remarkable feature is the little half-length beast, traceable in the photograph, at the right hand upper corner, as if climbing on the stone. The motive may perhaps give us the hitherto unknown origin of hogback bears, so common in the tenth century. Part of another beast seems indicated on the opposite corner, which is broken. This is a fine example of Ang-

CROSS-SLAB AT KNELLS.

Photo. by L. E. Hope.

TO FACE P. 482.

Photo. by H. Bentley.

ANNULAR STONE:

found in the Public Park, Barrow-in-Furness.

TO FACE P. 483.

lian art at its best period, and it would be the more valuable if we could find out whether it came to Knells from Carlisle, or from what other place. Nothing quite like it has been found in Cumberland, but there are analogies in Yorkshire.

ADDENDA ANTIQUARIA.

Two Stone Implements found in Furness.

The stone figured opposite was found in the Public Park, Barrow-in-Furness, in August, 1910. Mr. T. Gibson Pearson, writing on December 1st, 1910, says :—" I got the following from the man who actually came across the stone. He said, after stripping the turf and taking off the soil, they came across a loamy sort of clay and then a narrow bed (about 2 feet) of gravel ; and then they came to the boulder-clay. The stone was found on the top of the boulder clay, or it might be more correct to say at the bottom of the gravel. The depth would be about 2 feet 6 inches." Mr. H. Garencières Pearson, on enquiry at the British Museum, was informed that it was of the class known as a " mace head," of late Neolithic period. It measures $4\frac{1}{2}$ inches in diameter, $1\frac{1}{8}$ inch in thickness, and weighs 17 ounces. It was presented to the Museum by the chairman of the Public Parks Committee and is now in the Barrow Municipal Museum.

An axe-hammer of the type 1 on plate facing p. 64, these *Transactions*, N.S., vii., was found at Biggar, Isle of Walney, just before Christmas, 1910. It had formed part of a wall of a building on one of the tenements, and on the falling of the wall was fortunately picked up and preserved. It is of igneous rock, waterworn on the rounder side and ground on both sides to form the edge. It measures $8\frac{1}{2}$ inches long, $3\frac{1}{2}$ inches broad and $2\frac{3}{4}$ inches thick ; the hole is $1\frac{3}{4}$ inches in diameter at the opening, which is placed $4\frac{3}{4}$ inches from the point and $2\frac{1}{4}$ inches from the blunt end, and tapers to $\frac{3}{4}$ inch at the centre. The cutting edge is not quite symmetrically placed with respect to the plan of the implement but about $\frac{1}{2}$ inch to one side of the axis. Weight 5 pounds. It has been presented by Mr. Robert Townson of Biggar Village, who found it, to the Barrow Municipal Museum.

PUBLICATIONS OF THE YEAR.

"Three Bronze Figures from Asia Minor," by H. S. Cowper, F.S.A. (*Journal of Hellenic Studies*, xxix., 1909). A valuable contribution to the study of early Aegean art. We regret the omission of this entry in last year's *Transactions*.

"On a series of small worked flints from Hilwan, Egypt," by H. S. Cowper, F.S.A. (*Man*, 1911, Art. 5). Our vice-president, during a residence at Hilwan, collected 204 pigmy flints on the sites where, apparently, they were manufactured, and in this article gives figures of 71 examples, dividing them into classes and discussing their possible use as barbs, fish-hooks, etc. The question of date he leaves open, but seems to think they may be later than the Neolithic period.

"The First Historian of Cumberland," by the Rev. James Wilson, Litt.D. (*Scottish Historical Review*, October, 1910). In praise of John Denton, author of the "Accompt," concluding as follows:—"The whole tendency of recent depreciation makes a demand on the Cumberland and Westmorland Archæological Society, which is responsible for printing a copy of his manuscript, that some competent student should undertake a new edition with the double purpose of producing a trustworthy text and of substantiating or disproving from original sources its historical statements. In view of the indebtedness of Cumberland to the labours of one of its sons, this reparation is the least that is due to his memory. The county has produced so few native-born students of its history, that it can scarcely afford to allow the most imposing figure amongst them to occupy an uncertain place in its annals."

"Cumberland Parish Registers: Marriages." Vol. 1.—Workington, 1670–1837 (transcribed by Miss Patricia Curwen) and Moresby, 1676–1837 (transcribed by the Rev. H. J. Allen). Edited by W. P. W. Phillimore, M.A., B.C.L. and C. W. Ruston-Harrison. Pp. 192; 150 copies printed, 1910; supplied by Mr. T. Wilson, Kendal, to members of this Society at the subscription price of 10s. 6d.

"The Vale of Lyvennet; its picturesque peeps and legendary lore." A manuscript book by (the late) John Salkeld Bland, edited by F. H. M. Parker, M.A., Barrister-at-law, and member of Council of this Society. Kendal: Titus Wilson, publisher, 1910. Introduction containing a memoir of the author by the editor, and pp. 90, with portrait of the author and many illustrations after his drawings. The volume includes much interesting folklore, as well as notices of the antiquities in the neighbourhood of Crosby Ravensworth.

"Swarthmoor Meeting House, Ulverston: a Quaker stronghold," by the late Harper Gaythorpe, F.S.A.Scot. A small edition reprinted from these *Transactions*, N.S., vi. (Titus Wilson, Kendal, 1910).

"Key to Theory and Methods of Linear Perspective," by Charles W. Dymond, F.S.A. London: E. and F. N. Spon, Ltd., 1910; price 1s. 6d. A lucid and compendious introduction to the elements of the art, useful to sketchers and amateurs; eight coloured diagrams.

"Sidelights on Mediæval Windermere," by A. P. Brydson, M.A., Magdalen College, Oxford, author of "Two Lakeland Townships." (Titus Wilson, Kendal, 1911; price 2s. 6d.). A sketch of the early owners of the lake, with a notice of the chantry of St. Mary on the island called Lady Holme, to a great extent from original sources. The book contains numerous illustrations, some of local interest, others of contemporary architecture and customs to illustrate the text; the latter are from drawings by the author's brother, Captain Bridson, R.N.

"Correspondence between Mrs. Hemans and Matthew Nicholson," by Francis Nicholson, F.Z.S. (From *Memoirs and Proceedings of the Manchester Lit. and Phil. Society*, vol. 54, part 2; issued separately at 2s. 6d. from 36, George Street, Manchester: pp. 39 and 4 plates). A very interesting account of the poetess, Felicia Dorothea Browne, in her girlhood, and an admirer who found himself unfortunately too old to propose marriage.

Obituary Notices of Thomas Worthington, F.R.I.B.A., Richard Bowdler Sharpe, LLD., F.L.S., F.Z.S., and Thomas Windsor, M.R.C.S., L.S.A., by Francis Nicholson, F.Z.S. (*Memoirs and Proceedings, Manchester Lit. and Phil. Society*, vol. 54, part 3; 1910).

"Dutch Agnes her Valentine: being the journal of the Curate of Coniston, 1616–1623," by W. G. Collingwood. (Kendal: Titus Wilson, publisher, 1910, 3s. 6d.). A study, in the form of a story, of Lake-district life in the time of King James I., especially dealing with the German miners and the older branch of the Flemings of Coniston.

"The Highland Girl," being a translation of "L'Ecossaise" of Voltaire, by W. G. Collingwood. (Kendal: Titus Wilson, 1910, 1s. 6d.). In the introduction, the translator tells the story of the production of this remarkable play, which is the earliest work of literary art dealing with the fortunes of the Jacobites after Culloden.

"Preliminary Report on the Exploration of 'Dog Holes' Cave, Warton Crag, near Carnforth, Lancashire," by J. Wilfrid Jackson, F.G.S., Assistant Keeper of the Manchester Museum (Richard Gill, Tib Lane, Cross Street, Manchester, 1910; pp. 32, with illustrations). A fuller account of the investigations described on p. 479 of this volume.

In Memoriam.

We have to regret the loss of Mr. JOHN FELL, of Flan How, Ulverston, a vice-president of our Society, who died on September 26th, 1910. He was born in 1826 of an ancient and distinguished Furness family. After graduating at Wadham College, Oxford, he was called to the Bar of the Inner Temple in 1854. From 1865 onward he was closely connected with the rise of Barrow, as director of the Hematite Steel Company, of the Shipbuilding Company and the Flax and Jute Company, and in many capacities official and personal. He was councillor, alderman, and thrice mayor of Barrow, chairman of the School Board for 19 years, chairman of the Board of Guardians, justice of the peace from 1861, deputy lieutenant from 1869, chairman of Quarter Sessions 1886–1902, chairman of the Fishery Conservators 1870–1909, rear-commodore and vice-commodore of the Royal Barrow Yacht Club, chairman of the North Lonsdale Agricultural Association from 1870, and for some time president of the Barrow Naturalists' Field Club. He became a member of our Society in 1875 and was elected vice-president in 1896. Among other contributions to antiquarian study he described Urswick Stone Walls at the Society's visit on August 16th, 1877, and wrote articles in these *Transactions* "On the discovery of the foundations of an ancient building near the Park farm, Dalton-in-Furness" (o.s., vi.), "The Guides over the Kent and Leven Sands" (o.s., vii.), "Notes on the Parish Church of Dalton-in-Furness" (o.s., viii.), "Some Illustrations of Home Life in Lonsdale-North-of-the-Sands in the seventeenth and eighteenth centuries" (o.s., xi.), and so late as September 10th, 1909, he assisted in the committee for local arrangements and spoke on the history of Lowick Hall (N.S., x., p. 499).

Sir THOMAS BROCKLEBANK of Irton Hall died at Algeciras, Spain, on January 21st, 1911, aged 62, after a successful and distinguished career as a shipowner. He was chairman of Messrs. T. and J. Brocklebank, Ltd., and had recently served the office of High Sheriff of Lancashire. Elected to our Society in 1901, he entertained us with more than ordinary hospitality at our visit to Irton on June 12th, 1902.

The Right Hon. the EARL OF CARLISLE, who died on April 17th, 1911, had been a member of our Society since 1875, and vice-president from 1889. Though taking no active part in our work, Lord Carlisle on many occasions gave considerable assistance to the Society by permission to excavate upon his property in the course of the exploration of the Roman Wall and by throwing open Naworth Castle to us with much hospitality upon the various occasions of our visits to the Irthing valley.

With the deepest regret we have to add the name of Mrs. HENRY WARE to the list of those lost to the Society during the current year. Mrs. Ware, daughter of the Rt. Rev. Harvey Goodwin, late Bishop of Carlisle and patron of our Society, became a member in 1882. As Miss Ellen K. Goodwin she contributed to these *Transactions*, old series, articles on "A case of Cuir Bouilli from Uldale Church," and "A cover of a communion cup from Westward" (vol. vii.), "Rosemary Dacre and the White Cockade" (vol. viii.), and "Caldbeck Parish Registers" (vol. ix.). After her marriage with the Rt. Rev. Henry Ware, Bishop of Barrow-in-Furness, and late President of this Society, Mrs. Ware contributed "A gold armlet found in Westmorland" and "An instance of infant marriage in the diocese of Carlisle" (vol. xi.), and two papers, finely illustrated, on the seals of the Bishops of Carlisle (vols. xii. and xiii.). To Mrs. Ware were entrusted the unpublished diaries of Bishop Nicolson, of which large portions were printed in these *Transactions*, new series, vols. i. to v.; and she was the author of the valuable supplement to *Old Church Plate in the diocese of Carlisle*, added at the reissue in 1908 of that volume, to the first edition of which she had contributed largely. Mrs. Ware's death occurred at London on June 4th, 1911.

LIST OF MEMBERS

OF THE

CUMBERLAND AND WESTMORLAND ANTIQUARIAN AND ARCHÆOLOGICAL SOCIETY.

HONORARY MEMBERS.

Greenwell, Rev. Canon William, M.A., D.C.L., F.R.S., F.S.A. (Lon. and Scot.), Durham.

Maxwell, The Right Hon. Sir Herbert E., Bart., M.P., F.S.A., Monreith, Wigtownshire.

MEMBERS.

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1878 Ainsworth, J. S., M.P., Harecroft, Holmrook, Carnforth.
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1874 Allison, Sir R. A., Scaleby Hall, Carlisle.
1895 Ambleside Ruskin Book Club.
1899 Archibald, C. F., 2 Darnley Road, West Park, Leeds.
1879 Argles, Thomas Atkinson, *Treasurer*, Eversley, Milnthorpe.
1901 Armitt, Miss, Rydal Cottage, Ambleside.
1905 Arnison, N. H., Fell Side, Penrith.
1896 Asher & Co., Bedford Street, Covent Garden, London.
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1907 Atkinson, William, The Rookery, Ulverston.
1903 Austin, H. J., Heversham House, Milnthorpe.

1884 Bagot, Colonel Josceline, M.P., Levens Hall, Milnthorpe.
1911 Bailey, Charles Edwin, Howard Cottages, Warton, near Carnforth.
1885 Banks, Edwin H. [Life member].
1908 Bardsley, Miss Mabel E., Eden Hey, Stanwix, Carlisle.
1910 Barker, The Very Rev. Wm., D.D., Carlisle.
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1894 Collingwood, A. H., Town Clerk's Office, Carlisle.
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1903 Coulthard, Dr., Aspatria.
1906 Coulthard, Richard, Branksome, Workington.
1884 Coward, John, Fountain Street, Ulverston.
1886 Cowper, H. S., F.S.A., *Vice-President*, Great Loddenden, Staplehurst, Kent.
1888 Cowper, J. C., Keen Ground, Hawkshead.
1885 Creighton, Miss, Eden Mount, Stanwix, Carlisle.
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1886 Crewdson, F. W., *Auditor*, Beathwaite ,Levens, Milnthorpe.
1897 Cropper, Arthur E., 17, Warwick Place, Leamington.
1901 Cropper, Charles J., Ellergreen, Kendal.
1896 Cropper, Rev. James, B.A., St. Andrews, Penrith.
1874 Crowder, W. I. R., Eden Mount, Stanwix, Carlisle.
1904 Cumberland and Westmorland Association (C. Maugham, Hon. Sec., The Park, Condon Road, Forest Hill, London, S.E.).
1910 Cumpston, Miss Ellen, Barton Hall, Penrith.
1910 Cumpston, Miss M. E., Barton Hall, Penrith.
1900 Curwen, A.D., Workington Hall, Workington.
1899 Curwen, Eldred Vincent, Withdeane Court, Brighton.
1887 Curwen, John F., F.S.A., *Hon. Secretary*, Heversham.
1906 Curwen, Miss Patricia, Workington Rectory.

1910 Davies, Arthur, B.A., County Secondary School, Brampton.
1910 Day, Rev. H. Bloxsome, 2 Victoria Place, Carlisle.
1907 Dent, R. W., Flass House, Crosby Ravensworth, Shap.
1895 Devonshire, His Grace the Duke of, Devonshire House, Piccadilly, London, W.
1898 Dickinson, William, Chapel House, near Whitehaven.
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1886 Dixon, T., Rheda, Whitehaven.
1894 Donald, Miss H. M., Stanwix, Carlisle.
1909 Donald, Mrs. Sydney, Quarry Hill, Mealsgate.
1903 Douglas, Rev. D. G., Lairthwaite, Keswick.
1901 Doyle, Hugh, 4 Cringlethwaite Terrace, Egremont, R.S.O., Cumberland.

1900 Duckworth, J., B.A., 1 Howard Place, Warwick Road, Carlisle.
1894 Dymond, Charles William, F.S.A., Hon. F.S.A.Scot., The Castle, Sawrey, S.O., Lancashire.
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1885 Ecroyd, Edward, Low House, Armathwaite, R.S.O.
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1911 Fair, Miss, The Ferns, Eskdale Green, Cumberland.
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1904 Farrer, Miss, Bassenthwaite, Keswick.
1887 Farrer, William, Litt.D., *Vice-President*, Hall Garth, Carnforth.
1895 Fawcitt, J. W., Broughton House, Broughton-in-Furness.
1901 Ferguson, Major Spencer, C., *Member of Council*, 37 Lowther Street, Carlisle.
1910 Fisher, Joseph, Higham, Cockermouth.
1877 Fletcher, Mrs. Ashville, Pargeter Street, Stourbridge.
1887 Fletcher, Miss, Stoneleigh, Workington.
1886 Fletcher, W. L., Stoneleigh, Workington.
1884 Ford, John Rawlinson, *Member of Council*, Yealand Conyers, Carnforth.
1899 Ford, Rev. Harold D., Thursby Vicarage, Carlisle.
1907 Forster, Charles, Wreay, Watermillock, Penrith.
1907 Forster, R. H., F.S.A., Brooklyn Lodge, Mill Hill, Barnes, Surrey.
1901 Fothergill, Arthur, Newlands, Kendal.
1906 Fothergill, J. W., Brownber, Newbiggin, S.O.
1904 Fothergill, Miss, Brownber Cottage, Ravenstonedale.
1905 Fowkes, Mrs., Waterside, Esthwaite, Hawkshead.

O.M. Gandy, J. G., *Vice-President*, Heaves, Kendal.
1910 Garnett, Miss, Fairfield, Windermere.
1898 Garstang, T. C., Argyle Terrace, Workington.
1889 Gatey, George, Gale Bank, Ambleside.
1907 Geddes, Miss Marion, Langrigge Howe, Windermere.
1877 Gibson, Miss M., Burnside, Barbon.
1905 Gibson, J. P., F.S.A., Battle Hill, Hexham.
1885 Gilbanks, Rev. W. F., M.A., Great Orton, Carlisle.
1877 Gillbanks, Mrs., Clifton, Penrith.

1906 Gillbanks, Plaskett, Clifton, Penrith.
1877 Gillings, Mrs., Broughton-in-Furness.
1911 Golland, Rev. C. E., M.A., The Vicarage, Glasson Dock, near Lancaster.
1910 Goodchild, Mrs., Waldron, Milburn, Newbigging, Carlisle.
1900 Goodwin, Harvey, Orton Hall, Tebay.
1904 Gordon, Rev. C. J., Great Salkeld, Penrith.
1906 Gott, John, Lorna Road, Hove, Brighton.
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